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CROSS REFERENCES

Operation of American Red Cross vessels under Neutrality Act of 1939, see section 444 of Title 22, Foreign Relations and Intercourse.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 42 section 5143.

§ 1. Corporation created

Clara Barton, Hilary A. Herbert, Thomas F. Walsh, Charles C. Glover, Charles J. Bell, Mabel T. Boardman, George Dewey, William R. Day, Nelson A. Miles, James Tanner, William K. Van Reypen, John M. Wilson, Simon Wolf, James R. Garfield, Gifford Pinchot, S. W. Woodward, Mary A. Logan, Walter Wyman, of Washington, District of Columbia; George H. Shields, of Missouri; William H. Taft, F. B. Loomis, Samuel Mather, of Ohio; Spencer Trask, Robert C. Ogden, Cleveland H. Dodge, George C. Boldt, William T. Wardwell, John G. Carlisle, George B. McClellan, Elizabeth Mills Reid, Margaret Carnegie, of New York; John H. Converse, Alexander Mackay-Smith, J. Wilkes O'Neill, H. Kirke Porter, of Pennsylvania; Richard Olney, W. Murray Crane, Henry L. Higginson, William Draper, Frederick H. Gillett, of Massachusetts; Marshall Field, Robert T. Lincoln, Lambert Tree, of Illinois; A. G. Kaufman, of South Carolina; Alexander W. Terrell, of Texas; George Gray, of Delaware; Redfield Proctor, of Vermont; John W. Foster, Noble C. Butler, Robert W. Miers, of Indiana; John Sharp Williams, of Mississippi; William Alden Smith, of Michigan; Horace Davis, W. W. Morrow, of California; Daniel C. Gilman, Eugene Lovering, of Maryland; J. Taylor Ellyson, of Virginia; Daniel R. Noyes, of Minnesota; Emanuel Fiske, Marshall Fiske, of Connecticut, together with five other persons to be named by the President of the United States, one to be chosen from each of the Departments of State, Army, Navy, Treasury, and Justice, their associates and successors, are created a body corporate and politic in the District of Columbia.

(Jan. 5, 1905, ch. 23, § 1, 33 Stat. 599.)

PREAMBLE

Act Jan. 5, 1905, as amended by act May 8, 1947, ch. 50, §§ 1, 2, 61 Stat. 80, provided:

"Whereas on the twenty-second of August, eighteen hundred and sixty-four, at Geneva, Switzerland, plenipotentiaries respectively representing Italy, Baden, Belgium, Denmark, Spain, Portugal, France, Prussia, Saxony, and Wurttemberg and the Federal Council of Switzerland agreed upon ten articles of a treaty or convention for the purpose of mitigating the evils inseparable from war; of ameliorating the condition of soldiers wounded on the field of battle, and particularly providing, among other things, in effect, that persons employed in hospitals and in according relief to the sick and wounded and supplies for this purpose shall be deemed neutral and entitled to protection; and that a distinctive and uniform flag shall be adopted for hospitals and ambulances and convoys of sick and wounded and an arm badge for individuals neutralized; and

"Whereas the said treaty has been revised and extended by a treaty or convention for the amelioration of the condition of the wounded and the sick of armies in the field, signed at Geneva, July 27, 1929, and adhered to by the United States of America, effective August 8, 1932; and

"Whereas the International Conference of Geneva of eighteen hundred and sixty-three recommended 'that there exist in every country a committee whose mission consists in co-operating in times of war with the hospital service of the armies by all means in its power;' and

"Whereas a permanent organization is an agency needed in every nation to carry out the purposes of said treaties, and especially to secure supplies and to execute the humane objects contemplated by said treaties, with the power to adopt and use the distinctive flag and arm badge specified by said treaties, on which shall be the sign of the Red Cross, for the purpose of cooperating with the 'Comité International de Secours aux Militaries Blessés' (International Committee of Relief for the Wounded in War); and

"Whereas in accordance with the requirements and customs of said international body such an association adopting and using said insignia was formed in the city of Washington, District of Columbia, in July, eighteen hundred and eighty-one known as 'The American National Association of the Red Cross,' reincorporated April seventeenth, eighteen hundred and ninety-three, under the laws of the District of Columbia, and reincorporated by Act of Congress in June, nineteen hundred; and

"Whereas it is believed that the importance of the work demands a repeal of the present charter and a reincorporation of the society under Government supervision: Now, therefore,".

CHANGE OF NAME

The Department of War was designated the Department of the Army and the title of the Secretary of War was changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued the Department of the Army under the administrative supervision of a Secretary of the Army.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 2, 8 of this title.

§ 1a. Continuation of corporation; incorporators; powers and duties

The corporation now existing as The American National Red Cross under sections 1, 2 to 6, 8, and 9 of this title shall continue as a body corporate and politic in the District of Columbia. The first national convention after May 8, 1947 shall be convened and held under rules and regulations prescribed by the governing body of the corporation as presently constituted. After such first national convention, the Board of Governors of the corporation from time to time shall constitute the associates and successors of the incorporators named in said sections, and neither the said incorporators nor any associates or successors theretofore designated by them or by their successors shall have any powers or duties.

(May 8, 1947, ch. 50, § 8, 61 Stat. 83.)

REFERENCES IN TEXT

Section 4 of this title, included within the reference in text to sections 2 to 6 of this title, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862.

§ 2. Name of corporation; powers

The name of this corporation shall be "The American National Red Cross", and by that name it shall have perpetual succession, with the power to sue and be sued in courts of law and equity, State or Federal, within the jurisdiction of the United States; to have and to hold such real and personal estate as shall be deemed advisable and to dispose of the same, to accept gifts, devises, and bequests of real and personal estate for the purposes of this corporation hereinafter set forth; to adopt a seal and the same to alter and destroy at pleasure; and to have the right to have and to use, in carrying out its purposes hereinafter designated, as an emblem and badge, a Greek red cross on a white ground, as the same has been described in the treaties of Geneva, August twenty-second, eighteen hundred and sixty-four and July twenty-seventh, nineteen hundred and twenty-nine, and adopted by the several nations acceding thereto; to ordain and establish bylaws and regulations not inconsistent with the laws of the United States of America or any State thereof, and generally to do all such acts and things as may be necessary to carry into effect the provisions of sections 1, 2 to 6, 8, and 9 of this title and promote the purposes of said organization; and the corporation created is designated as the organization which is authorized to act in matters of relief under said treaties. In accordance with the said treaties, the delivery of the brassard allowed for individuals neutralized in time of war shall be left to military authority.

(Jan. 5, 1905, ch. 23, § 2, 33 Stat. 600; May 8, 1947, ch. 50, § 3, 61 Stat. 81.)

REFERENCES IN TEXT

Section 4 of this title, included within the reference in text to sections 2 to 6 of this title, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862.

AMENDMENTS

1947—Act of May 8, 1947, increased certain powers of corporation to accept gifts and devises of real estate.

CROSS REFERENCES

Exclusion from gross income, of proceeds of certain sports programs conducted for benefit of American National Red Cross, see section 114 of Title 26, Internal Revenue Code.

Licenses for erection and use of buildings on military installations, see section 2670 of Title 10, Armed Forces.

Loan of equipment needed for instruction and practice to organization formed by Red Cross aiding armed forces in war time, see section 2542 of Title 10.

FEDERAL RULES OF CIVIL PROCEDURE

Federal Rules of Civil Procedure as governing the procedure in all suits of a civil nature whether cognizable as cases at law or in equity, see rule 1, Title 28, Appendix, Judiciary and Judicial Procedure.

One form of action, see rule 2.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 8 of this title.

§ 3. Purposes of corporation

The purposes of the corporation are and shall be—

First. To furnish volunteer aid to the sick and wounded of Armed Forces in time of war, in accordance with the spirit and conditions of the conference of Geneva of October, eighteen hundred and sixty-three, and also of the treaties of the Red Cross, or the treaties of Geneva, of August twenty-second, eighteen hundred and sixty-four, and July twenty-seventh, nineteen hundred and twenty-nine, to which the United States of America has given its adhesion, and also of any other treaty or convention similar in purpose to which the United States of America may hereafter give its adhesion.

Second. And for said purposes to perform all the duties devolved upon a national society by each nation which has acceded to any of said treaties or conventions.

Third. To succeed to all the rights and property which were prior to January 5, 1905, held and to all the duties which were prior to January 5, 1905, performed by the American National Red Cross as a corporation duly incorporated by Act of Congress June 6, 1900, which Act is repealed and the organization created thereby is dissolved.

Fourth. To act in matters of voluntary relief and in accord with the military authorities as a medium of communication between the people of the United States of America and their Armed Forces, and to act in such matters between similar national societies of other governments through the "Comité International de Secours", and the Government and the people and the Armed Forces of the United States of America.

Fifth. And to continue and carry on a system of national and international relief in time of peace and apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other great national calamities, and to devise and carry on measures for preventing the same.

(Jan. 5, 1905, ch. 23, § 3, 33 Stat. 600; May 8, 1947, ch. 50, § 4, 61 Stat. 81; July 17, 1953, ch. 222, § 4(a), (b), 67 Stat. 179.)

REFERENCES IN TEXT

Act of Congress June 6, 1900, referred to in text, is act June 6, 1900, ch. 784, 31 Stat. 277, which was not classified to the Code.

AMENDMENTS

1953—Act July 17, 1953, substituted "Armed Forces" for "armies" in the first par. and, in the fourth par. substituted "Armed Forces" for "Army and Navy" and deleted "and naval" following "military".

1947—Act May 8, 1947, included the treaty of July 27, 1929, in the first and second pars.

CROSS REFERENCES

Cooperation and assistance to armed forces, see section 2602 of Title 10, Armed Forces.

Operation of American Red Cross vessels under Neutrality Act of 1939, see section 444 of Title 22, Foreign Relations and Intercourse.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 2, 8 of this title.

§ 4. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862

Section, acts Jan. 5, 1905, ch. 23, § 4, 33 Stat. 600; June 23, 1910, ch. 372, § 1, 36 Stat. 604, related to fraudulent representation or use of insignia, and is now covered by sections 1, 706 and 917 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE OF REPEAL

Repeal of section effective Sept. 1, 1948, see section 20 of act June 25, 1948, set out as an Effective Date

note preceding section 1 of Title 18, Crimes and Criminal Procedure.

§ 4a. Membership; status of chapters; rules and regulations governing chapters; election of officers

Membership in the American National Red Cross shall be open to all the people of the United States, its Territories, and dependencies, upon payment of the sums specified from time to time in the bylaws.

The chapters of the American National Red Cross shall be the local units of the corporation within the States and Territories of the United States. The regulations with respect to the granting of charters to the chapters and the revocation of the same, the territorial jurisdiction of the chapters, the relationship of the chapters to the corporation and compliance by the chapters with the policies and rules of the corporation, shall be as determined from time to time by the Board of Governors. Such regulations shall require that each chapter shall, in the election of the governing body of the chapter and in the selection of delegates to the national convention of the corporation, adhere to democratic principles of election as specified in the bylaws.

(Jan. 5, 1905, ch. 23, § 4a, as added May 8, 1947, ch. 50, § 5, 61 Stat. 81.)

Section Referred to in Other Sections

This section is referred to in sections 1a, 2, 8 of this title.

§ 5. Board of Governors; number; election; tenure; filling vacancies; annual meetings; voting by proxy

The governing body of the corporation in which all powers of government, direction, and management of the corporation shall be lodged, shall consist of a Board of Governors numbering fifty persons, to be appointed or elected in the manner following, namely:

(a) Eight Governors shall be appointed by the President of the United States. Of the Governors so appointed, one shall be designated by the President of the United States to act as the principal officer of the corporation with such title and such functions as may from time to time be prescribed in the bylaws; and the remainder shall be officials of departments and agencies of the Federal Government, whose positions and interests are such as to qualify them to contribute toward the accomplishment of Red Cross programs and objectives. Of these at least one and not more than three shall be selected from the armed forces.

(b) Thirty Governors shall be elected by the chapters. The Governors so elected shall be elected at the national convention under procedures for nomination and election which shall be such as to insure equitable representation of all the chapters, having regard to geographical considerations, to the size of the chapters and to the size of the populations served by the chapters.

(c) Twelve Governors shall be elected by the Board of Governors as members-at-large. The Governors so elected shall be individuals who are representative of the national interests which it is the function of the Red Cross to serve, and with which it is desirable that the corporation shall have close association.

The term of office of all Governors shall be three years, except that the term of office of any Governor appointed by the President of the United States (other than the principal officer of the corporation) shall expire if and when such Governor shall retire, prior to the date on which his term as Governor would otherwise expire, from the official position held at the time of his appointment as Governor.

Of the first Board of Governors to be selected hereunder, those Governors to be elected pursuant to subsection (b) of this section shall be elected at the first national convention following May 8, 1947, those Governors to be elected pursuant to subsection (c) of this section shall be elected as soon as practicable following such first national convention, and those Governors to be appointed pursuant to subsection (a) of this section shall be appointed so as to take office at the same time. The Governors so elected pursuant to subsections (b) and (c) of this section shall be divided by lot into three classes, the terms of which shall expire at the end of one, two, and three years, respectively, so that thereafter one-third of the members of the Board of Governors elected pursuant to subsections (b) and (c) of this section will be chosen at the time of each national convention, and shall take office at such time or as soon as practicable thereafter.

The President of the United States shall fill as soon as may be any vacancy that may occur by death, resignation, or otherwise in the office of the principal officer of the corporation or in the membership of the Board of Governors appointed by him. Any vacancy that may occur in the Governors elected by the chapters pursuant to subsection (b) of this section or in the Governors-at-large elected by the Board of Governors pursuant to subsection (c) of this section, shall be temporarily filled by appointment made by the Board of Governors, such appointees to serve until the next national convention.

The Board of Governors shall have power (i) to appoint from its own members an executive committee of not less than eleven persons, who, when the Board of Governors is not in session, shall have and exercise all the powers of the Board of Governors, and (ii) to appoint and remove, or provide for the appointment and removal of, all officers and employees of the corporation, except the principal officer designated by the President of the United States.

The annual meeting of the corporation shall be the national convention of delegates of the chapters, which shall be held annually on such date and at such place as may be specified by the Board of Governors. In all matters requiring a vote at the national convention, each chapter shall be entitled to not less than one vote. The number of votes which each chapter shall be entitled to cast shall be determined according to allocation by the Board of Governors, which shall be established on an equitable basis giving consideration both to the size of the membership of the chapters and to the size of the populations in the territories served by the chapters. Such allocations shall be reviewed at least every five years.

Voting by proxy shall not be allowed at any meeting of the Board of Governors, or at the national convention, or at any meeting of the chapters: *Provided, however,* That in the event of any national emergency which in the opinion of the Board of Governors makes attendance at the national convention impossible, the Board of Governors may permit the election of Governors by proxy at the national convention.

(Jan. 5, 1905, ch. 23, § 5, 33 Stat. 601; Dec. 10, 1912, ch. 1, § 1, 37 Stat. 647; Mar. 3, 1921, ch. 131, § 1, 41 Stat. 1354; May 8, 1947, ch. 50, § 6, 61 Stat. 82.)

CODIFICATION

Provision of act Jan. 5, 1905, which required the first annual meeting to be held in December 1905, was omitted as temporary.

AMENDMENTS

1947—Act May 8, 1947, enlarged the governing board and made the method of selection of its members more democratic.

1921—Act Mar. 3, 1921, provided that the executive committee of the central committee should consist of nine instead of seven persons, five of whom should be a quorum.

1912—Act Dec. 10, 1912, changed date of annual meeting from first Tuesday after first Monday in December to Wednesday preceding second Thursday in December.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 2, 8 of this title.

§ 6. Reports; account audit by Department of Defense

The American National Red Cross shall as soon as practicable after the first day of July of each year make and transmit to the Secretary of Defense a report of its proceedings for the fiscal year ending June 30, next preceding, including a full, complete, and itemized report of receipts and expenditures of whatever kind, which report shall be duly audited by the Department of Defense, and a copy of said report shall be transmitted to Congress by the Department of Defense.

(Jan. 5, 1905, ch. 23, § 6, 33 Stat. 602; Feb. 27, 1917, ch. 137, 39 Stat. 946; July 17, 1953, ch. 222, § 4(c), 67 Stat. 179.)

AMENDMENTS

1953—Act July 17, 1953, substituted "Secretary of Defense" and "Department of Defense" for "Secretary of War" and "Department of War", respectively.

1917—Act Feb. 27, 1917, required reports of the preceding fiscal year to be made as soon as practicable after first of July of each year instead of on January first of each year.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 2, 8 of this title.

§ 7. Reimbursement of Department of Defense for auditing expenses

The American National Red Cross annually shall reimburse the Department of Defense for auditing its accounts, and the sum so paid shall be covered into the Treasury of the United States as a miscellaneous receipt.

(May 29, 1920, ch. 214, § 1, 41 Stat. 659; July 17, 1953, ch. 222, § 5, 67 Stat. 179.)

CODIFICATION

Section is based upon provision appearing in act May 29, 1920, popularly known as the Executive, Legislative and Judicial Appropriation Act for fiscal year ending June 30, 1921.

AMENDMENTS

1953—Act July 17, 1953, substituted "Department of Defense" for "War Department".

§ 8. Reservation of right to amend or repeal certain sections

Congress shall have the right to repeal, alter, or amend sections 1, 2 to 6, 8, and 9 of this title at any time.

(Jan. 5, 1905, ch. 23, § 7, 33 Stat. 602.)

REFERENCES IN TEXT

Section 4 of this title, included within the reference in text to sections 2 to 6 of this title, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862.

§ 9. Endowment fund

The endowment fund of the American National Red Cross shall be kept and invested under the management and control of a board of nine trustees, who shall be elected from time to time by the Board of Governors under such regulations regarding terms and tenure of office, accountability, and expense as the Board of Governors shall prescribe.

(Jan. 5, 1905, ch. 23, § 8, as added June 23, 1910, ch. 372, § 2, 36 Stat. 604, and amended May 8, 1947, ch. 50, § 7, 61 Stat. 83.)

AMENDMENTS

1947—Act May 8, 1947, changed election of trustees by the incorporators and their successors to election by the Board of Governors.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1a, 2, 8 of this title.

§§ 10, 11. Repealed. July 17, 1953, ch. 222, § 6, 67 Stat. 179

Section 10, acts Apr. 24, 1912, ch. 90, § 1, 37 Stat. 90; June 29, 1943, ch. 176, § 1, 57 Stat. 247, related to land and naval forces in time of war, and is now covered by section 2602 of Title 10, Armed Forces.

Section 11, acts Apr. 24, 1912, ch. 90, § 2, 37 Stat. 91; June 29, 1943, ch. 176, § 2, 57 Stat. 248, related to transportation, subsistence and passport fees, and is now covered by section 2602 of title 10.

§ 12. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section, act June 3, 1916, ch. 134, § 127a, as added June 4, 1920, ch. 227, subch. I, § 51, 41 Stat. 785, and amended July 17, 1953, ch. 222, § 3, 67 Stat. 178, related to buildings for Red Cross supplies, and is now covered by section 2670 of Title 10, Armed Forces.

§ 13. Permanent building at headquarters in Washington, D.C.

The permanent building erected upon square 172 in the city of Washington, District of Columbia, for the use of the American National Red Cross in connection with its work in cooperation with the Government of the United States shall remain the property of the United States but under the supervision of the Administrator of General Services and the American

National Red Cross shall at all times be charged with the responsibility, the care, keeping, and maintenance of said building without expense to the United States.

(Feb. 7, 1930, ch. 42, §§ 1, 5, 46 Stat. 66; Ex. Ord. No. 6166, § 2, June 10, 1933; Mar. 2, 1934, ch. 38, § 1, 48 Stat. 389; 1939 Reorg. Plan No. I, §§ 301, 303, eff. July 1, 1939, 4 F.R. 2729, 53 Stat. 1426, 1427; June 30, 1949, ch. 288, title I, § 103(a), 63 Stat. 380.)

CODIFICATION

Section is composed of sections 1 and 5 of act Feb. 7, 1930. Section 1 provided for erection of permanent building and section 5 for the ownership and supervision thereof.

TRANSFER OF FUNCTIONS

All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator were transferred to the Administrator of General Services by section 103(a) of act June 30, 1949. Both the Federal Works Agency and the office of Federal Works Administrator were abolished by section 103(b) of that act. Section 103 is set out as section 753(b) of Title 40, Public Buildings, Property, and Works.

By section 5 of act Feb. 7, 1930, the permanent building was to remain under the supervision of the Director of Public Buildings and Public Parks of the National Capital. The office of Public Buildings and Public Parks of the National Capital was abolished and its functions were transferred to the Office of National Parks, Buildings, and Reservations of the Department of the Interior by Ex. Ord. No. 6166. The name of the latter office was changed to the "National Park Service" by act Mar. 2, 1934. The Branch of Buildings Management of the National Park Service, with certain other agencies, was consolidated as the Public Buildings Administration under the Federal Works Agency by sections 301 and 303 of Reorg. Plan No. I of 1939, set out in the Appendix to Title 5, Government Organization and Employees.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions by act June 30, 1949, effective July 1, 1949, see section 605 of act June 30, 1949, set out as an Effective Date note under section 471 of Title 40, Public Buildings, Property, and Works.

PERMANENT BUILDING FOR DISTRICT OF COLUMBIA CHAPTER

Joint Res. July 1, 1947, ch. 195, 61 Stat. 241, provided:

"That authority be, and is hereby, given to the American National Red Cross to erect upon the south half of square 104 in the city of Washington, District of Columbia, a permanent building for the use of the District of Columbia Chapter, American National Red Cross, in connection with its work, in cooperation with the Government of the United States and its responsibilities under its charter granted by the Congress of the United States.

"SEC. 2. That the plans of the proposed building shall first be approved by the American National Red Cross, the Commission of Fine Arts and the National Capital Park and Planning Commission and the erection and design thereof shall be under the supervision of the Administrator of the Federal Works Agency [now the Administrator of General Services] in accordance with the provisions of the Public Buildings Act of May 25, 1926, as amended [enacting sections 341, 342, 343 to 345a, 346, and 347 of Title 40, Public Buildings, Property, and Works] and as hereby further amended.

"SEC. 3. That the cost of the removal of the buildings on this site shall be borne by the American National Red Cross, District of Columbia Chapter, without expense to the United States.

"SEC. 4. That said permanent building shall remain the property of the United States but under the supervision of the Administrator of the Federal Works Agency [now the Administrator of General Services] and the American National Red Cross, District of Columbia Chapter, shall, at all times be charged with the responsibility, care, keeping, and maintenance of said building without expense to the United States.

"SEC. 5. That moneys of the American National Red Cross, District of Columbia Chapter, available for the construction of the aforesaid building, including any amount administratively determined necessary for the payment of salaries and expenses of personnel engaged upon the preparation of plans and specifications, field supervision, and general office expenses, may be transferred to and expended by the Public Buildings Administration of the Federal Works Agency [now the Administrator of General Services], and such funds may be consolidated in the books of the Treasury Department into a special account for direct expenditure in the prosecution of said work, and the Commissioner of Public Buildings is authorized to prepare drawings and specifications for this building prior to the approval by the Attorney General of the title to such acquisition.

"SEC. 6. That said building shall be appropriate in design and character and shall be used by the American National Red Cross, District of Columbia Chapter, and shall cost not less than $1,000,000: *Provided*, That this expenditure shall include complete equipment.

"SEC. 7. That the person, firm, or corporation which the Commissioner of Public Buildings shall select to furnish professional architectural and engineering services required for the project shall be chosen from nominations made by the American National Red Cross, District of Columbia Chapter.

"SEC. 8. That the National Capital Housing Authority is hereby authorized and directed to transfer to the jurisdiction of the Federal Works Administrator [now the Administrator of General Services] such part of the site for said building as is now under the jurisdiction of said Authority: *Provided*, That the Treasurer of the United States is authorized and directed to credit said Authority with the fair market value, at the date of transfer, of the property so transferred: *Provided further*, That the Federal Works Administrator [now the Administrator of General Services] is hereby authorized to utilize the property so transferred, as well as that part of the site already under his jurisdiction, for the purposes of this Act.

"SEC. 9. That the Federal Works Administrator, through the Public Buildings Administration [both now under the Administrator of General Services], is hereby authorized to furnish steam from the central heating plant for the heating of said building, such steam to be paid for by the American National Red Cross, District of Columbia Chapter, at such reasonable rates, not less than cost, as may be determined by the Federal Works Administrator [now Administrator of General Services]: *Provided*, That the Federal Works Administrator, through the Public Buildings Administration [both now under the Administrator of General Services], is authorized to prepare plans and specifications and to supervise and to contract for the work necessary to connect said building with the Government mains and to pay the cost of such work and services, including administrative expenses, from the funds consolidated into the Treasury pursuant to section 5 thereof.

"SEC. 10. The enactment of this joint resolution shall not be construed as establishing a policy of the United States Government to furnish building sites for Red Cross chapters or any eleemosynary institution at any other place."

§ 14. Omitted

CODIFICATION

Section, act May 5, 1926, ch. 246, 44 Stat. 403, related to the use of buildings in Washington, D.C. and was omitted from the Code as obsolete. See now section 13 of this title.

§ 15. Memorial building to Women of World War I; expenditures; supervision

The memorial building to commemorate the services and sacrifices of the patriotic women of the United States of America, of its insular possessions, and of the District of Columbia during the World War, erected on the land occupied in part on June 7, 1924, by the Memorial to the Women of the Civil War, the permanent headquarters of the American Red Cross, shall be used by the American National Red Cross.

The expenditures for said memorial building shall be made under the direction of a commission consisting of the chairman of the Senate Committee on the Library and the chairman of the House Committee on the Library. Said memorial building shall remain the property of the United States Government but under the supervision of the Administrator of General Services, and the American Red Cross shall at all times be charged with the responsibility, the care, keeping, and maintenance of the said memorial building without expense to the United States.

(June 7, 1924, ch. 369, §§ 1, 2, 4, 43 Stat. 665, 666; Feb. 26, 1925, ch. 339, § 3, 43 Stat. 983; Ex. Ord. No. 6166, § 2, June 10, 1933; Mar. 2, 1934, ch. 38, § 1, 48 Stat. 389; 1939 Reorg. Plan No. I, §§ 301, 303, eff. July 1, 1939, 4 F.R. 2729, 53 Stat. 1426, 1427; June 30, 1949, ch. 288, title I, § 103(a), 63 Stat. 380.)

TRANSFER OF FUNCTIONS

All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator were transferred to the Administrator of General Services by section 103(a) of act June 30, 1949. Both the Federal Works Agency and the office of Federal Works Administrator were abolished by section 103(b) of that act. Section 103 is set out as section 753(b) of Title 40, Public Buildings, Property, and Works.

The building provided for in this section was originally placed under the supervision of the "Superintendent of Public Buildings and Grounds," by act June 7, 1924. The office of Public Buildings and Grounds under the Chief of Engineers was abolished and the functions of the Chief of Engineers and of the Secretary of War with respect thereto were transferred to the Director of Public Buildings and Public Parks of the National Capital by act Feb. 26, 1925. The office of Public Buildings and Public Parks of the National Capital was abolished and the functions thereof were transferred to the Office of National Parks, Buildings and Reservations of the Department of the Interior by Ex. Ord. No. 6166. The name of the latter office was changed to "National Park Service" by act Mar. 2, 1934. The functions of the Director of the National Park Service relating to public buildings was transferred to the Federal Works Administrator by section 303(b) of Reorg. Plan No. I of 1939, set out in the Appendix to Title 5 Government Organization and Employees.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions by act June 30, 1949, effective July 1, 1949, see section 605 of act June 30, 1949, set out as an Effective Date note under section 471 of Title 40, Public Buildings, Property, and Works.

§ 16. Exchange of Government-owned cotton for articles containing wool

The American National Red Cross or any other organization to which the Government-owned cotton has been or shall hereafter be delivered pursuant to law is authorized, if it shall be deemed advisable, to exchange any such cotton for cloth or wearing apparel or other articles of clothing containing wool.

(Mar. 3, 1933, ch. 214, 47 Stat. 1544.)

§§ 17 to 17b. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section 17, act July 17, 1953, ch. 222, § 1, 67 Stat. 178, related to the use of the American Red Cross in cooperation with the Armed Forces. See now section 2602 of Title 10, Armed Forces.

Section 17a, act July 17, 1953, ch. 222, § 2, 67 Stat. 178, related to the furnishing of transportation, meals, and quarters to American Red Cross personnel by the government. See now section 2602 of Title 10.

Section 17b, act July 17, 1953, ch. 222, § 7, 67 Stat. 179, related to the status of American Red Cross personnel as government employees. See now section 2602 of Title 10.

CHAPTER 1A—DAUGHTERS OF THE AMERICAN REVOLUTION

Sec.
18. Corporation created; purposes.
18a. Right to acquire, hold, and dispose of property; constitution, bylaws, and seal; headquarters.
18b. Reports; historical material.
18c. Exclusive use of name, emblems, seals, and badges.

§ 18. Corporation created; purposes

Mary Park Foster (Mrs. John W. Foster), of Indiana; Mary Virginia Ellet Cabell (Mrs. William D. Cabell), of Virginia; Helen Mason Boynton (Mrs. Henry V. Boynton), of Ohio; Henrietta Greely (Mrs. A. W. Greely), of Washington, District of Columbia; Lelie Dent Saint Clair (Mrs. F. O. Saint Clair), of Maryland; Regina M. Knott (Mrs. A. Leo Knott), of Maryland; Sara Agnes Rice Pryor (Mrs. Roger A. Pryor), of New York; Sarah Ford Judd Goode (Mrs. G. Brown Goode), of Washington, District of Columbia; Mary Desha, of Kentucky; Sue Virginia Field (Mrs. Stephen J. Field), of California; Sallie Kennedy Alexander (Mrs. Thomas Alexander), of Washington, District of Columbia; Rosa Wright Smith, of Washington, District of Columbia; Sarah C. J. Hagan (Mrs. Hugh Hagan), of Georgia; Mary Stiner Putnam (Mrs. John Risley Putnam), of New York; Mary Leighton Shields (Mrs. George H. Shields), of Missouri; Ellen Hardin Walworth, of New York; Mary E. MacDonald (Mrs. Marshall MacDonald), of Virginia; Eugenia Washington, of Virginia; Alice M. Clarke (Mrs. A. Howard Clarke), of Massachusetts; Clara Barton, of Washington, District of Columbia; Mary S. Lockwood, of Washington, District of Columbia; Frances B. Hamlin (Mrs. Teunis S. Hamlin), of Washington, District of Columbia; Martha C. B. Clarke (Mrs. Arthur E. Clarke), of New Hampshire; Lucia E. Blount (Mrs. Henry Blount), of Indiana; Jennie A. O. Keim (Mrs. Randolph De B. Keim), of Connecticut; Louise Ward McAllister, of New York; Effie Ream Osborne (Mrs. Frank Stuart Osborne), of Illinois; Marie Devereux, of Washington, District of Columbia; Belinda O.

Wilbour (Mrs. Joshua Wilbour), of Rhode Island; Georgina E. Shippen (Mrs. W. W. Shippen), of New Jersey; Julia K. Hogg (Mrs. N. B. Hogg), of Pennsylvania; Katherine C. Breckinridge (Mrs. Clifton R. Breckinridge), of Arkansas; Sara Isabella Hubbard (Mrs. Adolphus S. Hubbard), of California; Mary L. D. Putnam (Mrs. Charles E. Putnam), of Iowa; Delia Clayborne Buckner (Mrs. Simon B. Buckner), of Kentucky; Emily Marshall Eliot (Mrs. Samuel Eliot), of Massachusetts; Lucy Grey Henry (Mrs. William Wirt Henry), of Virginia; Elizabeth Blair Lee, of Maryland, Mrs. Francis P. Burrows (Mrs. Julius C. Burrows), Mrs. Mary H. McMillan (Mrs. James McMillan), Mrs. Emma Gregory Hull (Mrs. J. A. T. Hull), Mrs. Mary B. K. Washington (Mrs. Joseph Washington), and their associates and successors, are created a body corporate and politic, in the District of Columbia, by the name of The National Society of the Daughters of the American Revolution, for patriotic, historical, and educational purposes, to perpetuate the memory and spirit of the men and women who achieved American independence, by the acquisition and protection of historical spots and the erection of monuments; by the encouragement of historical research in relation to the Revolution and the publication of its results; by the preservation of documents and relics, and of the records of the individual services of Revolutionary soldiers and patriots, and by the promotion of celebrations of all patriotic anniversaries; to carry out the injunction of Washington, in his farewell address to the American people, "to promote, as an object of primary importance, institutions for the general diffusion of knowledge," thus developing an enlightened public opinion and affording to young and old such advantages as shall develop in them the largest capacity for performing the duties of American citizens; to cherish, maintain, and extend the institutions of American freedom; to foster true patriotism and love of country, and to aid in securing for mankind all the blessings of liberty.

(Feb. 20, 1896, ch. 23, § 1, 29 Stat. 8.)

§ 18a. Right to acquire, hold, and dispose of property; constitution, bylaws, and seal; headquarters

The society is authorized to acquire by purchase, gift, devise, or bequest and to hold, convey, or otherwise dispose of such property, real or personal, as may be convenient or necessary for its lawful purposes, and may adopt a constitution and make bylaws not inconsistent with law, and may adopt a seal. Said society shall have its headquarters or principal office at Washington, in the District of Columbia.

(Feb. 20, 1896, ch. 23, § 2, 29 Stat. 9; Mar. 3, 1915, ch. 89, 38 Stat. 955; Feb. 5, 1926, ch. 11, 44 Stat. 4; July 30, 1951, ch. 255, 65 Stat. 130; Oct. 1, 1976, Pub. L. 94-443, § 1, 90 Stat. 1475.)

AMENDMENTS

1976—Pub. L. 94-443 substituted provision authorizing the society to acquire, by purchase, gift, devise or bequeath, real and personal property, and to hold, convey or otherwise dispose of it for provision which authorized the society to hold real and personal property in the United States in an amount not to exceed $10,000,000.

1951—Act July 30, 1951, increased from $5,000,000 to $10,000,000 the society's limit on holding of real and personal property.

1926—Act Feb. 5, 1926, increased authorized amount of real and personal estate holdings from $1,000,000 to $5,000,000.

1915—Act Mar. 3, 1915, increased authorized real and personal estate holdings from $500,000 to $1,000,000.

§ 18b. Reports; historical material

The Society shall report annually to the Secretary of the Smithsonian Institution concerning its proceedings, and said Secretary shall communicate to Congress such portion thereof as he may deem of national interest and importance. The Regents of the Smithsonian Institution are authorized to permit said national society to deposit its collections, manuscripts, books, pamphlets, and other material for history in the Smithsonian Institution or in the National Museum, at their discretion, upon such conditions and under such rules as they shall prescribe.

(Feb. 20, 1896, ch. 23, § 3, 29 Stat. 9.)

§ 18c. Exclusive use of name, emblems, seals, and badges

The society and its subordinate divisions shall have the sole and exclusive right to use the name "National Society of the Daughters of the American Revolution". The society shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as have heretofore been adopted or used by the National Society of the Daughters of the American Revolution.

(Feb. 20, 1896, ch. 23, § 4, as added Oct. 1, 1976, Pub. L. 94-443, § 2, 90 Stat. 1475.)

CHAPTER 1B—AMERICAN HISTORICAL ASSOCIATION

Sec.
20. Corporation created; purposes; right to hold property; constitution, by-laws, and seal; principal office; reports; historical material.

§ 20. Corporation created; purposes; right to hold property; constitution, by-laws, and seal; principal office; reports; historical material

Andrew D. White, of Ithaca, in the State of New York; George Bancroft, of Washington, in the District of Columbia; Justin Winsor, of Cambridge, in the State of Massachusetts; William F. Poole, of Chicago, in the State of Illinois; Herbert B. Adams, of Baltimore, in the State of Maryland; Clarence W. Bowen, of Brooklyn, in the State of New York, their associates and successors, are created in the District of Columbia a body corporate and politic, by the name of the American Historical Association, for the promotion of historical studies, the collection and preservation of historical manuscripts, and for kindred purposes in the interest of American history and of history in America. Said association is authorized to hold real and personal estate in the District of Columbia so far only as may be necessary to its lawful ends, to adopt a constitution, and to make by-laws not inconsistent with law. Said association shall have its principal office at Washington, in the District of Columbia, and may hold its annual meetings in such places as the said incorporators shall determine. Said association shall report annually to the Secretary of the Smithsonian Institution concerning its proceedings and the condition of historical study in America. Said Secretary shall communicate to Congress the whole of such reports, or such portion thereof as he shall see fit. The Regents of the Smithsonian Institution are authorized to permit said association to deposit its collections, manuscripts, books, pamphlets, and other material for history in the Smithsonian Institution or in the National Museum; at their discretion, upon such conditions and under such rules as they shall prescribe.

(Jan. 4, 1889, ch. 20, 25 Stat. 640; July 3, 1957, Pub. L. 85-83, § 1, 71 Stat. 276.)

AMENDMENTS

1957—Pub. L. 85-83 substituted the words "as may be necessary to its lawful ends" for the words "only as may be necessary to its lawful ends to an amount not exceeding five hundred thousand dollars".

TAX EXEMPTION OF REAL PROPERTY

Section 2 of Pub. L. 85-83 provided that: "The real property situated in Square 817, in the city of Washington, District of Columbia, described as lot 23, owned, occupied, and used by the American Historical Association, is exempt from all taxation so long as the same is so owned and occupied, and not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the Act entitled 'An Act to define the real property exempt from taxation in the District of Columbia', approved December 24, 1942 (56 Stat. 1089; D.C. Code, secs. 47-801b, 47-801c, and 47-801e)."

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

Smithsonian Institution—
- Distribution of reports, see section 1341 of Title 44, Public Printing and Documents.
- Duties of Secretary, see sections 44 and 46 of Title 20, Education.
- Regents, see sections 42 to 44 of Title 20.

CHAPTER 1C—SONS OF THE AMERICAN REVOLUTION

Sec.
20a. Corporation created.
20b. Purposes of corporation.
20c. Powers of corporation; restriction.
20d. Trustees.
20e, 20f. Omitted.
20g. Reservation of right to amend or repeal chapter.

§ 20a. Corporation created

Francis Henry Appleton, of Massachusetts; Lucius P. Deming, of Connecticut; William Seward Webb, of Vermont; Horace Porter, of New York; Joseph C. Breckinridge, of Washington, District of Columbia; Franklin Murphy, of New Jersey; Walter S. Logan, of New York; Edwin Warfield, of Maryland; Edwin S. Greeley, of Connecticut; James D. Hancock, of Pennsylvania; Morris B. Beardsley, of Connecticut; John C. Lewis, of Kentucky; Henry Stockbridge, of Maryland; Nelson A. McClary, of Illinois; A. Howard Clark, of Washington, District of Columbia; Isaac W. Birdseye, of Connecticut; William K. Wickes, of New York; J. W. Atwood, of Ohio; J. W. Whiting, of Alabama; Ricardo E. Miner, of Arizona; Joseph M. Hill, of Arkansas; Alexander G. Eells, of California; Clarkson N. Guyer, of Colorado; Jonathan Trumbull, of Connecticut; Thomas F. Bayard, of Delaware; William H. Bayly, of Washington, District of Columbia; William S. Keyser, of Florida; Charles M. Cook, of Hawaii; Inman H. Fowler, of Indiana; Eugene Secor, of Iowa; John M. Meade, of Kansas; Peter F. Pescud, of Louisiana; Waldo Pettengill, of Maine; James D. Iglehart, of Maryland; Moses G. Parker, of Massachusetts; Rufus W. Clark, of Michigan; James C. Haynes, of Minnesota; Ashley Cabell, of Missouri; Ogden A. Southmayd, of Montana; Amos Field, of Nebraska; Daniel C. Roberts, of New Hampshire; J. Franklin Fort, of New Jersey; William A. Marble, of New York; Isaac F. Mack, of Ohio; Henry H. Edwards, of Oklahoma; Thomas M. Anderson, of Oregon; William L. Jones, of Pennsylvania; John E. Studely, of Rhode Island; Theodore G. Carter, of South Dakota; J. A. Cartwright, of Tennessee; I. M. Standifer, of Texas; Fred A. Hale, of Utah; Henry D. Holton, of Vermont; Lunsford L. Lewis, of Virginia; Cornelius H. Hanford, of Washington; J. Franklin Pierce, of Wisconsin; Truman G. Avery, of New York; William W. J. Warren, of New York; Henry V. A. Joslin, of Rhode Island; John Paul Earnest, of Washington, District of Columbia; A. S. Hubbard, of California, and all such other persons as may from time to time be associated with them, and their successors, are hereby constituted a body corporate and politic, in the city of Washington, in the District of Columbia, by the name of the National Society of the Sons of the American Revolution.

(June 9, 1906, ch. 3065, § 1, 34 Stat. 227.)

§ 20b. Purposes of corporation

The purposes and objects of corporation are declared to be patriotic, historical, and educational, and shall include those intended or designed to perpetuate the memory of the men who, by their services or sacrifices during the war of the American Revolution, achieved the independence of the American people; to unite and promote fellowship among their descendants; to inspire them and the community at large with a more profound reverence for the principles of the Government founded by our forefathers; to encourage historical research in relation to the American Revolution; to acquire and preserve the records of the individual services of the patriots of the war, as well as documents, relics, and landmarks; to mark the scenes of the Revolution by appropriate memorials; to celebrate the anniversaries of the prominent events of the war and of the Revolutionary period; to foster true patriotism; to maintain and extend the institutions of American freedom, and to carry out the purposes expressed in the preamble to the Constitution of our country and the injunctions of Washington in his farewell address to the American people.

(June 9, 1906, ch. 3065, § 2, 34 Stat. 227.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 20c. Powers of corporation; restriction

The corporation shall have power to receive, purchase, hold, sell, and convey real and personal estate, so far only as may be necessary or convenient for its lawful purposes; to sue and be sued, complain and defend in any court; to adopt a common seal, and to alter the same at pleasure; to make and adopt a constitution, by-laws, rules, and regulations for admission, government, suspension, and expulsion of its members, and from time to time to alter and repeal such constitution, by-laws, rules, and regulations, and to adopt others in their places; to provide for the election of its officers and to define their duties; to provide for State societies or chapters with rules for their conduct, and to regulate and provide for the management, safe-keeping, and protection of its property and funds: *Provided always*, That such constitution, by-laws, rules, and regulations be not inconsistent with the laws of the United States or any of the States thereof.

(June 9, 1906, ch. 3065, § 3, 34 Stat. 228; Sept. 8, 1961, Pub. L. 87-214, 75 Stat. 489.)

Amendments

1961—Pub. L. 87-214 deleted "to an amount not exceeding at any one time in the aggregate $500,000" following "convenient for its lawful purposes".

§ 20d. Trustees

The property and affairs of said corporation shall be managed by not less than forty trustees, who shall be elected annually at such time as shall be fixed by the by-laws, and at least one trustee shall be elected annually from a list of nominees to be made by each of the State societies and submitted in this society at least thirty days before the annual meeting, in accordance with the general provisions regulating such nominations as may be adopted by this society.

(June 9, 1906, ch. 3065, § 4, 34 Stat. 228; Feb. 6, 1925, ch. 142, 43 Stat. 808.)

Amendments

1925—Act Feb. 6, 1925, deleted "more than sixty nor" preceding "less than forty trustees".

§§ 20e, 20f. Omitted

Codification

Section 20e, act June 9, 1906, ch. 3065, § 5, 34 Stat. 228, related to the procedure for calling the first meeting of the Sons of the American Revolution, and has been omitted from the Code as executed.

Section 20f, act June 9, 1906, ch. 3065, § 6, 34 Stat. 228, related to the procedure for the acceptance of the charter of the Sons of the American Revolution, and has been omitted from the Code as executed.

§ 20g. Reservation of right to amend or repeal chapter

Congress reserves the right to alter, amend, or repeal this chapter.

(June 9, 1906, ch. 3065, § 7, 34 Stat. 228.)

CHAPTER 2—BOY SCOUTS OF AMERICA

Sec.
21. Corporation created.
22. Name; general powers and duties.
23. Purposes of corporation.
24. Acquisition of assets and liabilities of existing corporation; prohibition against issuance of stock or payment of dividends.
25. Executive board; powers.
26. Annual and special meetings; quorum.
27. Exclusive right to emblems, badges, marks, and words or phrases.
28. Reports to Congress.
29. Reservation of right to amend or repeal chapter.

§ 21. Corporation created

Colin H. Livingstone and Ernest P. Bicknell, of Washington, District of Columbia; Benjamin L. Dulaney, of Bristol, Tennessee; Milton A. McRae, of Detroit, Michigan; David Starr Jordan, of Berkeley, California; F. L. Seely, of Asheville, North Carolina; A. Stamford White, of Chicago, Illinois; Daniel Carter Beard, of Flushing, New York; George D. Pratt, of Brooklyn, New York; Franklin C. Hoyt, Jeremiah W. Jenks, Charles P. Neill, Frank Presbrey, Edgar M. Robinson, Mortimer L. Schiff, and James E. West, of New York, New York; G. Barrett Rich, junior, of Buffalo, New York; Robert Garrett, of Baltimore, Maryland; John Sherman Hoyt, of Norwalk, Connecticut; Charles C. Jackson, of Boston, Massachusetts; John H. Nicholson, of Pittsburgh, Pennsylvania; William D. Murray, of Plainfield, New Jersey; and George D. Porter, of Philadelphia, Pennsylvania, their associates and successors, are created a body corporate and politic of the District of Columbia, where its domicile shall be.

(June 15, 1916, ch. 148, § 1, 39 Stat. 227.)

Section Referred to in Other Sections

This section is referred to in section 25 of this title.

§ 22. Name; general powers and duties

The name of the corporation created by this chapter shall be "Boy Scouts of America", and by that name it shall have perpetual succession, with power to sue and be sued in courts of law and equity within the jurisdiction of the United States; to hold such real and personal estate as shall be necessary for corporate purposes, and to receive real and personal property by gift, devise, or bequest; to adopt a seal, and the same to alter and destroy at pleasure; to have offices and conduct its business and affairs within and without the District of Columbia and in the several States and Territories of the United States; to make and adopt by-laws, rules, and regulations not inconsistent with the laws of the United States of America, or any State thereof, and generally to do all such acts and things (including the establishment of regulations for the election of associates and successors) as may be necessary to carry into effect the provisions of this chapter and promote the purposes of said corporation.

(June 15, 1916, ch. 148, § 2, 39 Stat. 227.)

Federal Rules of Civil Procedure

Federal Rules of Civil Procedure as governing the procedure in all suits of a civil nature whether cognizable as cases at law or in equity, see rule 1, Title 28, Appendix, Judiciary and Judicial Procedure.

One form of action, see rule 2.

Service of process upon agent of domestic or foreign corporation, see rule 4.

§ 23. Purposes of corporation

The purpose of the corporation shall be to promote, through organization, and cooperation with other agencies, the ability of boys to do things for themselves and others, to train them in scoutcraft, and to teach them patriotism, courage, self-reliance, and kindred virtues, using the methods which were in common use by Boy Scouts on June 15, 1916.

(June 15, 1916, ch. 148, § 3, 39 Stat. 228.)

§ 24. Acquisition of assets and liabilities of existing corporation; prohibition against issuance of stock or payment of dividends

Said corporation may acquire, by way of gift, all the assets of the existing national organization of Boy Scouts, a corporation under the laws of the District of Columbia, and defray and provide for any debts or liabilities to the discharge of which said assets shall be applicable; but said corporation shall have no power to issue certificates of stock or to declare or pay dividends, its object and purposes being solely of a benevolent character and not for pecuniary profit to its members.

(June 15, 1916, ch. 148, § 4, 39 Stat. 228.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 25. Executive board; powers

The governing body of the said Boy Scouts of America shall consist of an executive board composed of citizens of the United States. The number, qualifications, and terms of office of members of the executive board shall be prescribed by the by-laws. The persons mentioned in section 21 of this title shall constitute the first executive board and shall serve until their successors are elected and have qualified. Vacancies in the executive board shall be filled by a majority vote of the remaining members thereof. The bylaws may prescribe the number of members of the executive board necessary to constitute a quorum of the board, which number may be less than a majority of the whole number of the board. The executive board shall have power to make and to amend the bylaws, and, by a two-thirds vote of the whole board at a meeting called for this purpose, may authorize and cause to be executed mortgages and liens upon the property of the corporation. The executive board may, by resolution passed by a majority of the whole board, designate three or more of their number to constitute an executive or governing committee, of which a majority shall constitute a quorum, which committee, to the extent provided in said resolution or in the bylaws of the corporation, shall have and exercise the powers of the executive board in the management of the business affairs of the corporation, and may have power to authorize the seal of the corporation to be affixed to all papers which may require it. The executive board, by the affirmative vote of a majority of the whole board, may appoint any other standing committees, and such standing committees shall have and may exercise such powers as shall be conferred or authorized by the bylaws. With the consent in writing and pursuant to an affirmative vote of a majority of the members of said corporation, the executive board shall have authority to dispose in any manner of the whole property of the corporation.

(June 15, 1916, ch. 148, § 5, 39 Stat. 228.)

CROSS REFERENCES

Citizenship clause, see Const. Amend. 14, § 1.

§ 26. Annual and special meetings; quorum

An annual meeting of the incorporators, their associates and successors, shall be held once in every year after the year of incorporation, at such time and place as shall be prescribed in the bylaws, when the annual reports of the officers and executive board shall be presented and members of the executive board elected for the ensuing year. Special meetings of the corporation may be called upon such notice as may be prescribed in the bylaws. The number of members which shall constitute a quorum at any annual or special meeting shall be prescribed in the bylaws. The members and executive board shall have power to hold their meetings and keep the seal, books, documents, and papers of the corporation within or without the District of Columbia.

(June 15, 1916, ch. 148, § 6, 39 Stat. 228.)

§ 27. Exclusive right to emblems, badges, marks, and words or phrases

The corporation shall have the sole and exclusive right to have and to use, in carrying out its purposes, all emblems and badges, descriptive or designating marks, and words or phrases now or heretofore used by the Boy Scouts of America in carrying out its program, it being distinctly and definitely understood, however, that nothing in this chapter shall interfere or conflict with established or vested rights.

(June 15, 1916, ch. 148, § 7, 39 Stat. 228.)

CROSS REFERENCES

Right to wear uniforms, see sections 771 to 774 of Title 10, Armed Forces.

Trade-mark provisions of section 1051 et seq. of Title 15 not to repeal or affect this section, see note set out under section 1051 of Title 15, Commerce and Trade.

§ 28. Reports to Congress

On or before the 1st day of April of each year the said Boy Scouts of America shall make and transmit to Congress a report of its proceedings for the year ending December 31 preceding.

(June 15, 1916, ch. 148, § 8, 39 Stat. 229; Aug. 30, 1964, Pub. L. 88-504, § 4(1), 78 Stat. 636.)

AMENDMENTS

1964—Pub. L. 88-504 deleted ", including a full, complete, and itemized report of receipts and expenditures, of whatever kind" following "December 31 preceding".

§ 29. Reservation of right to amend or repeal chapter

Congress shall have the right to repeal, alter, or amend this chapter at any time.

(June 15, 1916, ch. 148, § 9, 39 Stat. 229.)

CHAPTER 2A—GIRL SCOUTS OF AMERICA

Sec.
31. Corporation created.
32. Name; general powers and duties.
33. Purposes of corporation.
34. National Council; powers; board of directors; executive committee.
35. Regular and special meetings.
36. Exclusive right to emblems, badges, marks, and words or phrases.
37. Reports to Congress.
38. Acquisition of assets and liabilities of existing corporation.
39. Printing annual report.

§ 31. Corporation created

Mrs. Harry S. Truman, of Independence, Missouri; Mrs. Woodrow Wilson, of Washington, District of Columbia; Mrs. Calvin Coolidge, of Northampton, Massachusetts; Mrs. Franklin D. Roosevelt, of Hyde Park, New York; Mrs. Arthur O. Choate, of New York, New York; Mrs. Frederick H. Brooke, of Washington, District of Columbia; Mrs. Vance C. McCormick, of Harrisburg, Pennsylvania; Mrs. Harvey S. Mudd, of Los Angeles, California; Mrs. Alan H. Means, of Los Angeles, California; Mrs. C. Vaughan Ferguson, of Schenectady, New York; Doctor Mary H. S. Hayes, of New York, New York; Mrs. Walter N. Rothschild, of New York, New York; Mrs. Charles Kendrick, of San Francisco, California; Mrs. Frederick H. Bucholz, of Omaha, Nebraska; Mrs. Nathan Mobley, of Greenwich, Connecticut; Mrs. Amory Houghton, of Corning, New York; Mrs. Gordon Hunger, of Scarsdale, New York; Mrs. Charles H. Ridder, of New York, New York; Mrs. Paul Rittenhouse, of New York, New York; Mrs. Alfred R. Bachrach, of New York, New York; Mrs. Stanlee T. Bates, of Cleveland Heights, Ohio; Mrs. D. D. Bovaird, of Tulsa, Oklahoma; Mrs. W. Wright Byran, of Atlanta, Georgia; Mrs. R. A. Burnett, of Amarillo, Texas; Mrs. Cyril T. Carney, of Des Moines, Iowa; Mrs. Leonard G. Carpenter, of Crystal Bay, Minnesota; Mrs. Everett Case, of Hamilton, New York; Doctor Rosalind Cassidy, of Santa Monica, California; Mrs. H. S. Fenimore Cooper, of Cooperstown, New York; Mrs. J. Roger DeWitt, of Independence, Missouri; Mrs. R. T. Dozier, of Montgomery, Alabama; Mrs. Charles W. Farnsworth, of Concord, Massachusetts; Mrs. Merritt Farrell, of Newtown, Ohio; Mrs. W. V. M. Fawcett, of Newton, Massachusetts; Mrs. J. T. Finlen, of Butte, Montana; Mrs. John A. Frick, of Allentown, Pennsylvania; Mrs. A. B. Graham, of Portland, Oregon; Mrs. Edward F. Johnson, of Scarsdale, New York; Mrs. Charles H. Larkin Second, of Eden, New York; Mrs. Roy F. Layton, of Chevy Chase, Maryland; Mrs. James P. McGranery, of Philadelphia, Pennsylvania; Mrs. Julius Mark, of New York, New York; Miss Clementine Miller, of Columbus, Indiana; Mrs. Dudley H. Mills, of Glen Head, Long Island, New York; Mrs. Hilleary L. Murray, of Minneapolis, Minnesota; Mrs. C. E. Robbins, of Pierre, South Dakota; Mrs. Harry M. Robbins, of Seattle, Washington; Mrs. Snelling Robinson, of Lake Forest, Illinois; Mrs. Harry M. Sartoris, of Washington, District of Columbia; Mrs. Theodore Squier, of Milwaukee, Wisconsin; Miss Dorothea Sullivan, of Washington, District of Columbia; Mrs. John Arthur Thum, of Glendora, California; Mrs. George L. Todd, of Rochester, New York; Mrs. Abe D. Waldauer, of Memphis, Tennessee; Mrs. Frank L. Weil, of New York, New York; Mrs. John M. Whalen, of Kingston, Rhode Island; Mrs. William T. Wilson, Junior, of Winston-Salem, North Carolina; Mrs. Albert E. Winger, of New York, New York; Mrs. Arthur Woods, of Washington, District of Columbia, officers, directors, or members; and their associates and successors, constituting Girl Scouts of the United States of America, a membership corporation organized under the laws of the District of Columbia (hereinafter referred to as the "old corporation"), are incorporated a body corporate and politic of the District of Columbia, where its domicile shall be.

(Mar. 16, 1950, ch. 62, § 1, 64 Stat. 22.)

Reservation of Power to Repeal, Alter, or Amend Chapter

Section 9 of act Mar. 16, 1950, provided that: "Congress shall have the right to repeal, alter, or amend this Act [this chapter] at any time."

§ 32. Name; general powers and duties

The name of such corporation shall be Girl Scouts of the United States of America (hereinafter referred to as the "corporation"), and by that name it shall have perpetual succession, with power to sue and be sued in courts of law and equity within the jurisdiction of the United States; to take, receive, and hold, in trust or otherwise, and to sell and convey real and personal property necessary for its corporate purposes, and other real and personal property, the income from which shall be applied to its corporate purposes; to adopt a seal, and to alter or destroy such seal; to have offices and to conduct its business and affairs within and without the District of Columbia and in the several States, Territories, and possessions of the United States; to adopt a constitution, bylaws, rules, and regulations (including regulations for the election of associates and successors) not inconsistent with the laws of the United States, or any State thereof, and from time to time to alter such constitution, bylaws, rules, and regulations and generally to perform such acts as may be necessary to carry out the purposes of this chapter and promote the purposes of the corporation.

(Mar. 16, 1950, ch. 62, § 2, 64 Stat. 23.)

Cross References

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

Federal Rules of Civil Procedure

Federal Rules of Civil Procedure as governing the procedure in all suits of a civil nature whether cognizable as cases at law or in equity, see rule 1, Title 28, Appendix, Judiciary and Judicial Procedure.

One form of action, see rule 2.

Service of process upon agent of domestic or foreign corporation, see rule 4.

§ 33. Purposes of corporation

The purposes of the corporation shall be to promote the qualities of truth, loyalty, helpfulness, friendliness, courtesy, purity, kindness, obedience, cheerfulness, thriftiness, and kindred virtues among girls, as a preparation for their responsibilities in the home and for service to the community, to direct and coordinate the Girl Scout movement in the United States, its Territories, and possessions, and to fix and maintain standards for the movement which will inspire the rising generation with the highest ideals of character, patriotism, conduct, and attainment, which purposes shall be nonsectarian, nonpolitical, and not for pecuniary profit.

(Mar. 16, 1950, ch. 62, § 3, 64 Stat. 23.)

§ 34. National Council; powers; board of directors; executive committee

There shall be a National Council of Girl Scouts (hereinafter referred to as the "national council"), which shall have power to make and amend a constitution and bylaws, and to elect a board of directors, and officers and agents. The number, qualifications, and terms of office of members of the national council shall be prescribed by the constitution, except that they shall be citizens of the United States. The constitution may prescribe the number of members of the national council necessary to constitute a quorum, which number may be less than a majority of the whole number. The affairs of the corporation between meetings of the national council shall be managed by a board of directors, except that the bylaws may provide for an executive committee to exercise the powers of the board of directors in the interim between its meetings, and for other committees to operate under the general supervision of the board of directors. The number, qualifications, and terms of office of members of the board of directors shall be prescribed by the constitution. The constitution may prescribe the number of members of the board of directors necessary to constitute a quorum which number shall not be less than twenty, or two-fifths of the whole number. The board of directors, to the extent provided in the constitution and bylaws, shall have the powers of the national council, in the interim between its meetings. The national council, or between meetings thereof, the board of directors, may authorize and cause to be executed leases, mortgages, and liens upon, and sales and conveyances of, any of the property of the corporation; and the proceeds arising therefrom shall be applied or invested for the use and benefit of the corporation.

(Mar. 16, 1950, ch. 62, § 4, 64 Stat. 23; Aug. 14, 1953, ch. 486, § 1, 67 Stat. 582.)

AMENDMENTS

1953—Act Aug. 14, 1953, made it clear that only citizens of the United States may be members of the National Council.

CROSS REFERENCES

Citizenship clause, see Const. Amend. 14, § 1.

§ 35. Regular and special meetings

Meetings of the national council shall be held as provided in the constitution, for elections, and to receive the reports of the officers and board of directors. Special meetings may be called as prescribed in the constitution. The national council and the board of directors shall have power to hold meetings and keep the seal, books, documents, and papers of the corporation within or without the District of Columbia.

(Mar. 16, 1950, ch. 62, § 5, 64 Stat. 24; Aug. 14, 1953, ch. 486, § 1, 67 Stat. 582.)

AMENDMENTS

1953—Act Aug. 14, 1953, eliminated the provision that there must be a meeting of the National Council at least once every two years.

§ 36. Exclusive right to emblems, badges, marks, and words or phrases

The corporation shall have the sole and exclusive right to have and to use, in carrying out its purposes, all emblems and badges, descriptive or designating marks, and words or phrases now or heretofore used by the old corporation and by its successor in carrying out its program, including the sole and exclusive right to use, or to authorize the use of, during the existence of the corporation, the badge of the Girl Scouts, Incorporated, which is referred to in the Act of August 12, 1937 (Public, Numbered 259, Seventy-fifth Congress; 50 Stat. 623), and all the other aforesaid emblems and badges, descriptive or designating marks, and words or phrases in connection with the manufacturing, advertising, and selling of equipment and merchandise: *Provided, however,* That nothing in this chapter shall interfere or conflict with established or vested rights.

(Mar. 16, 1950, ch. 62, § 6, 64 Stat. 24; Aug. 17, 1951, ch. 328, 65 Stat. 193.)

REFERENCES IN TEXT

Act of August 12, 1937 (Public, Numbered 259, Seventy-fifth Congress; 50 Stat. 623), referred to in text, is act Aug. 12, 1937, ch. 590, 50 Stat. 623, which was not classified to the Code.

AMENDMENTS

1951—Act Aug. 17, 1951, inserted "and by its successors" and "including the sole and exclusive right to use, or to authorize the use of, during the existence of the corporation, the badge of the Girl Scouts, Incorporated, which is referred to in the Act of August 12, 1937 (Public, Numbered 259, Seventy-fifth Congress; 50 Stat. 623), and all the other aforesaid emblems and badges, descriptive or designating marks, and words or phrases in connection with the manufacturing, advertising, and selling of equipment and merchandise" and substituted "Provided, however, That" for "it being distinctly and definitely understood, however, that".

§ 37. Reports to Congress

On or before the first day of April of each year the corporation shall make and transmit to Congress a report of its proceedings for the preceding fiscal year.

(Mar. 16, 1950, ch. 62, § 7, 64 Stat. 24; Aug. 14, 1953, ch. 486, § 2, 67 Stat. 583; Aug. 30, 1964, Pub. L. 88-504, § 4(2), 78 Stat. 636.)

AMENDMENTS

1964—Pub. L. 88-504 deleted ", including a full, complete, and itemized report of receipts and expenditures of whatever kind" following "fiscal year".

1953—Act Aug. 14, 1953, substituted "for the preceding fiscal year" for "for the year ending December 31, preceding" following "its proceedings".

§ 38. Acquisition of assets and liabilities of existing corporation

On March 16, 1950, the separate existence of the old corporation shall cease and the old corporation shall be merged into the corporation. The corporation shall possess all the public and private rights, privileges, powers, and franchises and shall be subject to all the restrictions, disabilities, and duties of the old corporation so merged into it, and all of the rights, privileges, powers, and franchises of the old corporation, and all property—real, personal, and mixed—and all debts due it on whatever account shall be vested in the corporation; and all property, rights, privileges, powers, and franchises and all other interests of the old corporation shall be the property of the corporation and the title to any real estate vested in the old corporation by deed or otherwise, under the laws of the District of Columbia or any State, shall not revert or be in any way impaired by reason of this chapter: *Provided, however,* That all rights of creditors and all liens upon any property of the old corporation shall be preserved unimpaired and all its debts, liabilities, and duties shall attach to the corporation and may be enforced against it to the same extent as if such debts, liabilities, and duties had been incurred or contracted by it.

(Mar. 16, 1950, ch. 62, § 8, 64 Stat. 24.)

§ 39. Printing annual report

The annual report of the Girl Scouts of the United States of America shall be printed each year, with accompanying illustrations, as a separate House document of the session of the Congress to which such report may be submitted.

(Apr. 16, 1951, ch. 29, 65 Stat. 32.)

CODIFICATION

Section was not enacted as part of act Mar. 16, 1950, ch. 62, 64 Stat. 22, which comprises this chapter.

CHAPTER 3—THE AMERICAN LEGION

Sec.

41. Corporation created.
42. Omitted.
43. Purposes of corporation.
44. Powers of corporation.
45. Membership.
46. Nonpolitical nature of corporation.
47. Omitted.
48. Exclusive right to names.
49. Reports to Congress.
50. Agents for service of process.
51. Reservation of right to amend or repeal chapter.

§ 41. Corporation created

That the following persons, to wit: William S. Beam, of North Carolina; Charles H. Brent, of New York; William H. Brown, of Connecticut; G. Edward Buxton, junior, of Rhode Island; Bennett C. Clark, of Missouri; Richard Derby, of New York; L. H. Evridge, of Texas; Milton J. Foreman, of Illinois; Ruby D. Garrett, of Missouri; Fred J. Griffith, of Oklahoma; Roy C. Haines, of Maine; John F. J. Herbert, of Massachusetts; Roy Hoffman, of Oklahoma; Fred B. Humphreys, of New Mexico; John W. Inzer, of Alabama; Stuart S. Janney, of Maryland; Luke Lea, of Tennessee; Henry Leonard, of Colorado; Henry D. Lindsley, of Texas; Ogden L. Mills, of New York; Thomas W. Miller, of Delaware; Edward Myers, of Pennsylvania; Franklin D'Olier, of Pennsylvania; W. G. Price, junior, of Pennsylvania; S. A. Ritchie, of New York; Theodore Roosevelt, junior, of New York; Albert A. Sprague, of Illinois; John J. Sullivan, of Washington; Dale Shaw, of Iowa; Daniel G. Stivers, of Montana; H. J. Turney, of Ohio; George A. White, of Oregon; Eric Fisher Wood, of Pennsylvania; George H. Wood, of Ohio; Mathew H. Murphy, of Alabama; Andrew P. Martin, of Arizona; J. J. Harrison, of Arkansas; Henry G. Mathewson, of California; H. A. Saidy, of Colorado; Alfred M. Phillips, junior, of Connecticut; George N. Davis, of Delaware; A. H. Blanding, of Florida; Walter Harris, of Georgia; E. C. Boom, of Idaho; George G. Seaman, of Illinois; Raymond S. Springer, of Indiana; Mathew A. Tinley, of Iowa; W. A. Phares, of Kansas; Henry De Haven Moorman, of Kentucky; T. Semmes Walmsley, of Louisiana; A. L. Robinson, of Maine; James A. Gary, junior, of Maryland; George C. Waldo, of Michigan; Harrison Fuller, of Minnesota; Alexander Fitzhugh, of Mississippi; H. C. Clark, of Missouri; Charles E. Pew, of Montana; John G. Maher, of Nebraska; J. G. Scrugham, of Nevada; Frank Knox, of New Hampshire; Hobart Brown, of New Jersey; Charles M. De Bremon, of New Mexico; C. K. Burgess, of North Carolina; Julius Baker, of North Dakota; F. C. Galbraith, of Ohio; Ross N. Lillard, of Oklahoma; E. J. Eivers, of Oregon; George F. Tyler, of Pennsylvania; Alexander H. Johnson, of Rhode Island; Julius H. Walker, of South Carolina; M. L. Shade, of South Dakota; Roane Waring, of Tennessee; Claude V. Birkhead, of Texas; Wesley E. King, of Utah; Charles Francis Cocke, of Virginia; H. Nelson Jackson, of Vermont; Harvey I. Moss, of Washington; Jackson Arnold, of West Virginia; John C. Davis, of Wisconsin; A. H. Beach, of Wyoming; E. Lester Jones, of the District of Columbia; Lawrence Judd, of Hawaii; Robert R. Landon, of the Philippine Islands; and such persons as may be chosen who are members of the "American Legion", an unincorporated patriotic society of the soldiers, sailors, and marines of the Great War, 1917 to 1918, known as the "American Legion", and their successors, are created and declared to be a body corporate. The name of this corporation shall be "The American Legion."

(Sept. 16, 1919, ch. 59, § 1, 41 Stat. 284.)

§ 42. Omitted

CODIFICATION

Section act Sept. 16, 1919, ch. 59, § 2, 41 Stat. 284, related to the procedure for the completion of the American Legion organization, and has been omitted from the Code as executed.

§ 43. Purposes of corporation

The purpose of this corporation shall be: To uphold and defend the Constitution of the United States of America; to promote peace and good will among the peoples of the United States and all the nations of the earth; to preserve the memories and incidents of the two World Wars and the other great hostilities fought to uphold democracy; to cement the ties and comradeship born of service; and to consecrate the efforts of its members to mutual helpfulness and service to their country.

(Sept. 16, 1919, ch. 59, § 3, 41 Stat. 285; Oct. 29, 1942, ch. 633, § 1, 56 Stat. 1012; July 26, 1955, ch. 386, § 1, 69 Stat. 379; Sept. 1, 1966, Pub. L. 89-550, § 1, 80 Stat. 371.)

Amendments

1966—Pub. L. 89-550 substituted "and the other great hostilities" for "and the Korean hostilities" following "World Wars".

1955—Act July 26, 1955, included the Korean hostilities.

1942—Act Oct. 29, 1942 included war beginning Dec. 7, 1941.

Cross References

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 44. Powers of corporation

The corporation created by this chapter shall have the following powers: To have perpetual succession with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate and personal property as shall be necessary for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt a constitution, bylaws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or of any State; to use, in carrying out the purposes of the corporation, such emblems and badges as it may adopt and to have the exclusive right to manufacture, and to control the right to manufacture, and to use, such emblems and badges as may be deemed necessary in the fulfillment of the purposes of the corporation; to establish and maintain offices for the conduct of its business; to establish State and Territorial organizations and local chapter or post organizations; to publish a magazine or other publications, and generally to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

(Sept. 16, 1919, ch. 59, § 4, 41 Stat. 285; June 26, 1953, ch. 153, § 1, 67 Stat. 82.)

Amendments

1953—Act June 26, 1953, inserted the provision relating to the exclusive right to manufacture, the use, and control of such emblems and badges deemed necessary in the fulfillment of the purposes of the corporation.

Cross References

Loan or gift of condemned or obsolete material by Secretary of military department or Secretary of the Treasury, see section 2572 of Title 10, Armed Forces.

Recognition by Administrator of Veterans' Affairs of representatives of the American Legion for prosecution of claims under laws administered by the Veterans' Administration, see section 3402 of Title 38, Veterans' Benefits.

Federal Rules of Civil Procedure

Federal Rules of Civil Procedure as governing the procedure in all suits of a civil nature whether cognizable as cases at law or in equity, see rule 1, Title 28, Appendix, Judiciary and Judicial Procedure.

One form of action, see rule 2.

§ 45. Membership

No person shall be a member of this corporation unless he has served in the naval or military services of the United States at some time during any of the following periods: April 6, 1917, to November 11, 1918; December 7, 1941, to December 31, 1946; June 25, 1950, to January 31, 1955; August 5, 1964, to August 15, 1973; all dates inclusive, or who, being a citizen of the United States at the time of entry therein, served in the military or naval service of any of the governments associated with the United States during said wars or hostilities: *Provided, however,* That such person shall have an honorable discharge or separation from such service or continues to serve honorably after any of the aforesaid terminal dates.

(Sept. 16, 1919, ch. 59, § 5, 41 Stat. 285; Oct. 29, 1942, ch. 633, § 2, 56 Stat. 1012; July 9, 1946, ch. 546, 60 Stat. 524; Dec. 28, 1950, ch. 1117, 64 Stat. 1122; July 26, 1955, ch. 386, § 2, 69 Stat. 380; Sept. 1, 1966, Pub. L. 89-550, § 2, 80 Stat. 372; Dec. 27, 1974, Pub. L. 93-557, 88 Stat. 1792.)

Amendments

1975—Pub. L. 93-557 substituted "December 31, 1946" for "September 2, 1945", "January 31, 1955" for "July 27, 1953", and "August 15, 1973" for "the date of cessation of hostilities as determined by the Government of the United States".

1966—Pub. L. 89-550 inserted "August 5, 1964, to the date of cessation of hostilities as determined by the Government of the United States," following "June 25, 1950, to July 27, 1953;".

1955—Act July 26, 1955, substituted "July 27, 1953" for "the date of cessation of hostilities, as determined by the United States Government".

1950—Act Dec. 28, 1950, redefined eligibility for membership in the American Legion.

1946—Act July 9, 1946, permitted veterans of World War II to become members.

1942—Act Oct. 29, 1942, included as members personnel of war beginning Dec. 7, 1941, and added proviso.

Cross References

Citizenship clause, see Const. Amend. 14, § 1.

§ 46. Nonpolitical nature of corporation

The organization shall be nonpolitical and, as an organization, shall not promote the candidacy of any person seeking public office.

(Sept. 16, 1919, ch. 59, § 6, 41 Stat. 285.)

§ 47. Omitted

Codification

Section act Sept. 16, 1919, ch. 59, § 7, 41 Stat. 285, related to the acquisition by the American Legion corporation of the assets and liabilities of the unincorporated American Legion, and has been omitted from the Code as executed.

§ 48. Exclusive right to names

Said corporation and its State and local subdivisions shall have the sole and exclusive right to have and to use, in carrying out its purposes, the name "The American Legion", or "American Legion".

(Sept. 16, 1919, ch. 59, § 8, 41 Stat. 285; June 26, 1953, ch. 153, § 2, 67 Stat. 82.)

AMENDMENTS

1953—Act June 26, 1953, extended the exclusive right of the American Legion to the use of the name "American Legion".

§ 49. Reports to Congress

The said corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress a report of its proceedings for the preceding calendar year. Said report shall not be printed as public documents.

(Sept. 16, 1919, ch. 59, § 9, 41 Stat. 285; Aug. 30, 1964, Pub. L. 88-504, § 4(3), 78 Stat. 636.)

AMENDMENTS

1964—Pub. L. 88-504 deleted ", including a full and complete report of its receipts and expenditures" following "calendar year".

§ 50. Agents for service of process

As a condition precedent to the exercise of any power or privilege herein granted or conferred the American Legion shall file in the office of the secretary of state of each State the name and post-office address of an authorized agent in such State upon whom legal process or demands against the American Legion may be served.

(Sept. 16, 1919, ch. 59, § 9½, 41 Stat. 285.)

FEDERAL RULES OF CIVIL PROCEDURE

Agent authorized by appointment or law to receive service of process, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 51. Reservation of right to amend or repeal chapter

The right to repeal, alter, or amend this chapter at any time is expressly reserved.

(Sept. 16, 1919, ch. 59, § 10, 41 Stat. 285.)

CHAPTER 3A—UNITED SPANISH WAR VETERANS

Sec.

56. Corporation created; membership; general powers.
56a. Objects and purposes of corporation; prohibition against business activities.
56b. Principal office; place of holding annual meetings; possession of property.
56c. Supreme governing authority.
56d. Qualifications for membership; rights and privileges of members.
56e. Agencies of corporation.
56f. Exclusive right to name.
56g. Termination of corporate existence and right to wear insignia; effect of chapter on ownership of property.
56h. Disposition and future ownership of property and archives.

§ 56. Corporation created; membership; general powers

The organization known as United Spanish War Veterans, with a membership limited to officers, soldiers, and sailors of the Army, Navy, or Marine Corps of the United States of America, including acting assistant surgeons, contract doctors, dentists, veterinary surgeons, officers, and enlisted men in the United States Revenue Cutter Service on vessels temporarily under the control of the War or Navy Department, commissioned medical officers of the United States Marine Hospital Services, officers and enlisted men in the Philippine Scouts and other organizations of native troops maintained by the War Department in the Philippine Islands, paymaster clerks actually on duty in the field or aboard ship who served at any time during the War between the United States of America and the Kingdom of Spain, or at any time during the War for the Suppression of the Insurrection in the Philippine Islands, including the China Relief Expedition, prior to July 4, 1902, and who either have been honorably discharged from the service or still continue in the same, and women who served honorably under contract or by appointment as Army nurses, chief nurses, or superintendents of the Army Nurse Corps at any time between April 21, 1898, and July 4, 1902, is created a body corporate and politic of the District of Columbia, by the name of "United Spanish War Veterans", by which name it shall be a person in law, capable of suing and being sued, and of having and exercising all incidental powers as a litigant or otherwise as if it were a natural person, with power to acquire by purchase, gift, devise, or bequest, and to hold, convey, or otherwise dispose of property, real or personal, as may be necessary to carry into effect the patriotic, fraternal, and charitable purposes of its organization, and to use in carrying out the purposes of the corporation such emblems and badges as it may have heretofore or may hereafter adopt, and generally to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

(Apr. 22, 1940, ch. 130, § 1, 54 Stat. 152.)

CHANGE OF NAME

The Department of War was designated the Department of the Army and the title of the Secretary of War was changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued the Department of the Army under the administrative supervision of a Secretary of the Army.

REVENUE CUTTER SERVICE

The Coast Guard was established in lieu of the Revenue Cutter Service and the Life-Saving Service by act Jan. 28, 1915, ch. 20, § 1, 38 Stat. 800. That act was repealed by act Aug. 4, 1949, ch. 393, § 20, 63 Stat. 561, section 1 of which reestablished the Coast Guard by enacting Title 14, Coast Guard.

CROSS REFERENCES

Recognition by Administrator of Veterans' Affairs of representatives of United Spanish War Veterans for prosecution of claims under laws administered by Veterans' Administration, see section 3402 of Title 38, Veterans' Benefits.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 56d of this title.

§ 56a. Objects and purposes of corporation; prohibition against business activities

The object and purpose of this corporation shall be to perpetuate the name of the United Spanish War Veterans and to preserve in corporate form said organization as now and heretofore maintained and conducted, and to thus provide and continue an agency and instrumentality through and by which its members, for and during the remainder of their natural lives, unite in the fraternal bonds of comradeship; perpetuate the memories of the War with Spain and the campaigns incident thereto; promote peace and good will at home and among all nations; encourage an adequate national defense and protect and preserve our institutions of government. The corporation shall not at any time engage in any business for pecuniary profit and gain.

(Apr. 22, 1940, ch. 130, § 2, 54 Stat. 153.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 56b. Principal office; place of holding annual meetings; possession of property

The principal office of this corporation shall be kept and maintained in the city of Washington, District of Columbia, but annual or other meetings of its governing body and members may be held in any State of the Union, and the corporation shall have the power to possess and hold property needful or desirable for its objects and purposes anywhere in the United States or any of its Territories or dependencies consistently with the provisions of local laws pertaining thereto.

(Apr. 22, 1940, ch. 130, § 3, 54 Stat. 153.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 56g of this title.

§ 56c. Supreme governing authority

The supreme governing and controlling authority in said organization shall be the national encampment thereof, composed of representatives from the several department encampments as are now or may hereafter be organized: *Provided*, That there shall never be any change in the plan of organization of said national encampment that shall materially change its present representative form of government or render possible the concentration of the control thereof in the hands of a limited number or in a self-perpetuating body not representative of the membership at large.

(Apr. 22, 1940, ch. 130, § 4, 54 Stat. 153.)

§ 56d. Qualifications for membership; rights and privileges of members

The qualifications for membership in said organization, except as they are limited by the provisions in section 56 of this title, and the rights and privileges of the members thereof shall be such as are fixed by the constitution and rules and regulations heretofore or hereafter adopted by said national encampment.

(Apr. 22, 1940, ch. 130, § 5, 54 Stat. 153.)

§ 56e. Agencies of corporation

The activities of said corporation shall be exercised through and by the following agencies in accordance with the constitution and rules and regulations now in force or such as may be hereafter enacted by the national encampment thereof, namely:

First. Through the national encampment, its officers, and committees.

Second. Through such department encampments as may have been heretofore or as may be hereafter organized, their officers, and committees.

Third. Through such camps as may have been heretofore or may be hereafter organized, their officers, and committees.

Fourth. Through such auxiliary organizations by whatever name or designation as have been heretofore or may hereafter be authorized by the national encampment.

Such department encampments and auxiliary organizations shall be subject and subordinate in authority to the national encampment, and such camps shall be also subject to such control exercised through the department encampment and department officers of the particular department to which it belongs.

(Apr. 22, 1940, ch. 130, § 6, 54 Stat. 153.)

§ 56f. Exclusive right to name

Said corporation and its State and local subdivisions shall have the sole and exclusive rights to have and to use in carrying out its purposes the name "United Spanish War Veterans."

(Apr. 22, 1940, ch. 130, § 7, 54 Stat. 154.)

§ 56g. Termination of corporate existence and right to wear insignia; effect of chapter on ownership of property

The corporate existence of United Spanish War Veterans and the exclusive rights of its surviving members to wear the insignia of membership therein shall terminate only when the last of its members dies: *Provided, however*, That if, at any national encampment hereafter held, a memorial shall be adopted by the vote of three-fourths of the members present reciting that because of the decrease in its membership, or because of the age and infirmity of its surviving members, it no longer is advisable and practicable to hold future annual national encampments, such action shall not operate to deprive said organization of any of its corporate powers; but the government thereof may be modified to provide for such contingency subject to the restrictions contained in section 56b of this title: *Provided further*, That nothing in this chapter shall in any manner affect the right or the power of such camps or departments to dispose of or otherwise affect the ownership of property held by any camp or department in its own name, nor affect the right of such camps or departments to organize corporations under State laws for the purpose of caring for and disposing of such property.

(Apr. 22, 1940, ch. 130, § 8, 54 Stat. 154.)

§ 56h. Disposition and future ownership of property and archives

The national encampment may, by resolution, provide for the disposition and future ownership of its property and archives, and may declare the event in which such disposition shall become effective and such ownership vested, and a duly authenticated copy of such resolutions shall be filed in the office of the United States District Court for the District of

Columbia. Upon the happening of the event thus declared, and upon the filing of a petition in said United States District Court reciting said facts, said court shall take jurisdiction thereof and, upon due proof being made, the court shall enter a decree which shall be effectual to vest title and ownership in accordance with the provisions of such resolution.

(Apr. 22, 1940, ch. 130, § 9, 54 Stat. 154; June 25, 1948, ch. 646, § 32(b), 62 Stat. 991; May 24, 1949, ch. 139, § 127, 63 Stat. 107.)

CHANGE OF NAME

"United States District Court for the District of Columbia" was substituted for "Supreme Court of the District of Columbia" and "United States District Court" for "Supreme Court" on authority of act June 25, 1948, as amended by act May 24, 1949.

CHAPTER 3B—MARINE CORPS LEAGUE

Sec.
57. Corporation created.
57a. Purposes of corporation.
57b. Powers of corporation.
58. Reports to Congress.
59. Reservation of right to amend or repeal chapter.

§ 57. Corporation created

Major General John A. Lejeune, United States Marine Corps, retired, honorary national commandant; Maurice A. Illch, national commandant; Roy S. Taylor, senior national vice commandant; Kenneth B. Collings, junior national vice commandant; Alexander F. Ormsby, national judge advocate; Reverend John H. Clifford, national chaplain; Edward A. Walker, national sergeant at arms; John B. Hinckley, Junior, national adjutant and paymaster; John E. Brock, national chief of staff, are created a body corporate of the name "Marine Corps League."

(Aug. 4, 1937, ch. 564, § 1, 50 Stat. 558.)

§ 57a. Purposes of corporation

The purposes of this corporation shall be (a) to preserve the traditions and to promote the interests of the United States Marine Corps; (b) to band those who were on August 4, 1937, serving in the United States Marine Corps and those who have been honorably discharged from that service together in fellowship that they may effectively promote the ideals of American freedom and democracy; (c) to fit its members for the duties of citizenship and to encourage them to serve as ably as citizens as they have served the Nation under arms; (d) to hold sacred the history and memory of the men who have given their lives to the Nation; (e) to foster love for the principles which they have supported by blood and valor since the founding of the Republic; (f) to maintain true allegiance to American institutions; (g) to create a bond of comradeship between those in service and those who have returned to civil life; (h) to aid voluntarily and to render assistance to all marines and former marines as well as to their widows and orphans; (i) to perpetuate the history of the United States Marine Corps and by fitting acts to observe the anniversaries of historical occasions of peculiar interest to marines.

(Aug. 4, 1937, ch. 564, § 2, 50 Stat. 558.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 57b. Powers of corporation

The corporation (a) shall have perpetual succession; (b) may charge and collect membership dues and receive contributions of money or property to be devoted to carrying out the purposes of the organization; (c) may sue or may be sued; (d) may adopt a corporate seal and alter it at pleasure; (e) may adopt and alter bylaws not inconsistent with the Constitution and laws of the United States or of any State; (f) may establish and maintain offices for the conduct of its business; (g) may appoint or elect officers and agents; (h) may choose a board of trustees, consisting of not more than fifteen persons nor less than five persons, to conduct the business and exercise the powers of the corporation; (i) may acquire, by purchase, devise, bequest, gift, or otherwise, and hold, encumber, convey, or otherwise dispose of such real and personal property as may be necessary or appropriate for its corporate purposes; and (j) generally may do any and all lawful acts necessary or appropriate to carry out the purposes for which the corporation is created.

(Aug. 4, 1937, ch. 564, § 3, 50 Stat. 559.)

MEMORIAL TO MARINE CORPS DEAD

Joint Res. July 1, 1947, ch. 585, 66 Stat. 441, as amended July 7, 1952, ch. 585, 66 Stat. 441; June 16, 1953, ch. 120, 67 Stat. 64, provided:

"That the Secretary of the Interior is authorized and directed to grant authority to the Marine Corps War Memorial Foundation, to erect a memorial on public grounds in the District of Columbia or immediate vicinity in honor and in commemoration of the men of the United States Marine Corps who have given their lives to their country.

"SEC. 2. The design and the site of such memorial shall be approved by the National Commission of Fine Arts, and the United States shall be put to no expense in or by the erection thereof.

"SEC. 3. The authority conferred pursuant to this joint resolution shall lapse unless (1) the erection of such memorial is commenced within ten years from the date of passage of this joint resolution, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary of the Interior, to insure completion of the memorial."

§ 58. Reports to Congress

The corporation shall, on or before the 1st day of December in each year, transmit to Congress a report of its proceedings and activities for the preceding calendar year. Such reports shall not be printed as public documents.

(Aug. 4, 1937, ch. 564, § 4, 50 Stat. 559; Aug. 30, 1964, Pub. L. 88-504, § 4(5), 78 Stat. 636.)

AMENDMENTS

1964—Pub. L. 88-504 deleted ", including the full and complete statement of its receipts and expenditured" following "calendar year".

§ 59. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter at any time is expressly reserved.

(Aug. 4, 1937, ch. 564, § 5, 50 Stat. 559.)

CHAPTER 4—BELLEAU WOOD MEMORIAL ASSOCIATION

Sec.
61. Corporation created.
62. Purposes of corporation.
63. Powers of corporation.
64. Omitted.
65. Reports to Congress.
66. Reservation of right to amend or repeal chapter.

§ 61. Corporation created

Ira E. Bennett, Tasker H. Bliss, Nathalie Boynton, Marie Moore Forrest, Elizabeth Van Rensselaer Frazer, James E. Freeman, Margaret Overman Gregory, Harry V. Haynes, John A. LeJeune, A. L. McClellan, Wendell C. Neville, Frank B. Noyes, John Barton Payne, Augusta Reath, Alice Hay Wadsworth, John Walsh, and their associates and successors, are created a body corporate by the name of "Belleau Wood Memorial Association."

(Mar. 3, 1923, ch. 228, § 1, 42 Stat. 1441.)

§ 62. Purposes of corporation

The purposes of the corporation shall be: (a) To acquire and maintain the whole or any portion of Belleau Wood, Department of Aisne, France, for memorial purposes; (b) to erect such buildings and monuments and establish such institutions thereon as it may deem appropriate as a memorial to the men of the American Expeditionary Forces who participated in the Battle of Belleau Wood, France, and vicinity during the World War; (c) to solicit and obtain members; (d) to charge and collect membership dues, and to solicit and receive contributions of money to be devoted to carrying out such purposes; and (e) to care for and maintain such memorial.

(Mar. 3, 1923, ch. 228, § 2, 42 Stat. 1441.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 63. Powers of corporation

The corporation (a) shall have perpetual succession; (b) may sue and be sued; (c) may adopt a corporate seal and alter it at pleasure; (d) may adopt and alter bylaws not inconsistent with the Constitution and laws of the United States or of any State; (e) may establish and maintain offices for the conduct of its business; (f) may appoint officers and agents; (g) may choose a board of trustees consisting of not more than fifteen persons nor less than five persons, to conduct the business and exercise the powers of the corporation; (h) may acquire, by purchase, devise, bequest, gift, or otherwise, and hold, encumber, convey, or otherwise dispose of, such real and personal property as may be necessary or appropriate for its corporate purposes, and especially the whole or any portion of Belleau Wood, Department of Aisne, France, to the extent that it may be or become consistent with, or permitted by, the laws of the French Republic; and (i) generally may do any and all lawful acts necessary or appropriate to carry out the purposes for which the corporation is created.

(Mar. 3, 1923, ch. 228, § 3, 42 Stat. 1441.)

§ 64. Omitted

CODIFICATION

Section act Mar. 3, 1923, ch. 228, § 4, 42 Stat. 1441, related to the acquisition by the Belleau Wood Memorial Association of the assets and liabilities of a pre-existing Belleau Wood Memorial Association, a District of Columbia corporation, and has been omitted from the Code as executed.

§ 65. Reports to Congress

The corporation shall, on or before the 1st day of December in each year, transmit to Congress a report of its proceedings and activities for the preceding calendar year. Such reports shall not be printed as public documents.

(Mar. 3, 1923, ch. 228, § 5, 42 Stat. 1441; Aug. 30, 1964, Pub. L. 88-504, § 4(6), 78 Stat. 636.)

AMENDMENTS

1964—Pub. L. 88-504 deleted ", including the full and complete statement of its receipts and expenditures" following "calendar year".

§ 66. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter at any time is expressly reserved.

(Mar. 3, 1923, ch. 228, § 6, 42 Stat. 1441.)

CHAPTER 4A—AMVETS (AMERICAN VETERANS OF WORLD WAR II)

Sec.
67. Corporation created.
67a. Adoption of constitution, bylaws, and declaration of principles; election of officers.
67b. Purposes of corporation.
67c. Powers of corporation.
67d. Propaganda activities prohibited; nonpolitical nature of corporation; membership of executive committee; headquarters; territorial scope of activities.
67e. Membership.
67f. Voting rights of members and convention delegates; executive committee.
67g. Omitted.
67h. Use of assets on dissolution or liquidation.
67i. Additional corporate powers.
67j. Liability for acts of officials and agents.
67k. Agent to accept service of process.
67l. Election of officers.
67m. Books and records; inspection.
67n. Prohibition against issuance of stock or payment of dividends.
67o. Loans to officers; liability of officers.
67p. Exclusive right to name, seals, emblems, and badges.
67q. Agents for service of process.
67r. Grant and accrual of rights of other national veterans' organizations.
67s. Reservation of right to amend or repeal chapter.

§ 67. Corporation created

The following persons, to wit: Jack W. Hardy, 7421 Beverly Boulevard, Los Angeles, California; Elmo Keel, 4085 Minnesota Avenue Northeast, Washington, District of Columbia; William Enters, suite 1509-1511, 11 South LaSalle Street, Chicago, Illinois; Doctor Gerald I. Cetrulo, 166 Bloomfield Avenue, Newark, New Jersey; Norman Clock, 125 South Fourth Street, Reading, Pennsylvania; Floyd Williams, C-2 704 North Monroe Street, Arlington, Virginia; Reverend Joseph T. O'Callaghan, United States Navy Department, Washington, District of Columbia; George R. Porter, 1730 South Adams Street, Fort Worth, Texas; Robert E. McLaughlin, 800 South Washington Street, Alexandria, Virginia; Ray Sawyer, Plymouth, New Hampshire; James C. Tate, 2 Wilton Road, Rural Free Delivery Numbered 5, Alexandria, Virginia; George E. Burke, 1126 Central Avenue, Saint Petersburg, Florida; A. Ronald Button, 6331 Hollywood Boulevard, Hollywood 28, California; Americus Lamberti, 515 West Seventh Street, Plainfield, New Jersey; Emory S. McNider, Coffeyville, Alabama; Allen Hansen, 815 East Broadway, Tucson, Arizona; Edward S. Shattuck, 1400 North Hobart Boulevard, Los Angeles, California; Elvon L. Howell, 652 Gilpin Street, Denver, Colorado; William N. Welsh, 21 Bristol Street, West Haven, Connecticut; Francis D. Odell, 18 Lawson Avenue, Claymont, Delaware; George Lewis, 125 State Capitol, Atlanta, Georgia; Lee Witaski, 1438 Thorndale Avenue, Chicago, Illinois; Doctor Clyde Iongstreth, Atlantic, Iowa; Harry N. Gillig, Junior, 612 Kansas Avenue, Topeka, Kansas; John H. Ostertag, 955 Charles Street, Louisville, Kentucky; Otto E. Passman, 114-120 Walnut Street, post-office drawer 1833, Monroe, Louisiana; Doctor G. E. Marrone, 610 Fairview Avenue, Frederick, Maryland; Howard J. McDonald, 4 College Street, Lewiston, Maine; Edward J. Beauchamp, 4 College Street, Lewiston, Maine; Albert J. Reynolds, Tremont Temple Building, Boston, Massachusetts; Neil Holland, 401 Charlevoix Building, 2033 Park Avenue, Detroit, Michigan; Monte M. Korn, 18041 Washburn, Detroit, Michigan; Raymond D. Vosburgh, 222½ West Lewis Street, Mankato, Minnesota; George R. Gess, box 47, Mount Olive, Mississippi; Henry W. Simpson, room 500, 119 North Seventh Street, Saint Louis, Missouri; R. C. Letcher, Billings Fire Department, Billings, Montana; Doctor A. D. Faier, 1102 Medical Arts Building, Omaha, Nebraska; Jay J. Strode, Wells, Nevada; N. L. Samaha, C-1, 1 Keeble Street, Plymouth, New Hampshire; William Hepp, 1918 Liberty Bank Building, Buffalo, New York; Huston W. Galyen, 1121 Sixteenth Avenue North, Fargo, North Dakota; Carl Freudenberg, 1298 Michigan Avenue, Cincinnati, Ohio; Fred Milligan, attorney at law, Columbus, Ohio; Joseph D. Stafford, route 2, box 662, Oklahoma City, Oklahoma; Anthony R. McGrath, 609 Plaza Building, Pittsburgh, Pennsylvania; Harry M. DeWitt, Junior, 2316 Fortieth Street Northwest, Washington, District of Columbia; Robert W. Donald, post-office box 2, Easley, South Carolina; Dick Kelly, Shaw Insurance Company, Sioux Falls, South Dakota; Alex Bullocks, 1464 Washington Street, Memphis, Tennessee; Thomas J. Russell, Burlington, Vermont; John E. Fletcher, 806 North Eye Street, Tacoma, Washington; R. L. Stubbs, Professional Building, Fairmont, West Virginia; Walter L. Thompson, 1316 Lombard, Everett, Washington; Robert A. Garrett, 163 Eccles Building, Ogden, Utah; Searcy Johnson, 805 Mercantile Building, Dallas, Texas; Hampton C. Godbe, 116 P Street, Salt Lake City, Utah; Allen P. Solada, 311 Dauphin Building, Harrisburg, Pennsylvania; George Vukmanic, 221 Martin Avenue, Pittsburgh 16, Pennsylvania; Royce C. Granger, 102 East Eighteenth Street, Tulsa, Oklahoma; Charles E. Nassif, 1023 Thirteenth Street North Fargo, North Dakota; Paul D. Higgins, 104½ Broadway, Fargo, North Dakota; Edmund P. Radwan, 906 Broadway, Buffalo, New York; Alexander J. Matturria, 234 Mount Prospect Avenue, Newark, New Jersey; J. F. Roche, Bond Building, 1015 Elm Street, Manchester, New Hampshire; Kenneth A. Van Vorst, 114 East Bonanza Road, Las Vegas, Nevada; Julian C. Harvey, 1731 Walnut Street, Kansas City, Missouri; John Wesley, box 482, Picayune, Mississippi; Claude C. Morgan, 810 Hammond Building, Detroit, Michigan; Edward A. Trudell, 26 Horan Way, Jamaica Plain, Massachusetts; Vincent C. Neeson, Labelle and Bellona, Ruxton, Baltimore 4, Maryland; R.L. Huot, 106 Elm Street, Biddeford, Maine; John E. Sutherlin, Sutherlin Sales Company, Industries Building, New Orleans, Louisiana; Thomas Wilkerson, 1600 Washington, Henderson, Kentucky; John C. Junkins, Cherokee, Kansas; Doctor C. W. Hoffman, 1340 Forth-first Street, Des Moines, Iowa; Allen W. Jenkins, 1015 Cherry Street, Evansville, Indiana; Edwin I. Bruder, 6837 Clyde Avenue, Chicago, Illinois; Harry P. Orcutt, Fort Benning, Georgia; Arthur Di Vincent, post-office box 4579, Miami 28, Florida; Maurice B. Marholin, 176 McClintock Road, New Britain, Connecticut; Harry Steinbery, First National Bank Building, El Dorado, Arkansas; Jess Curtiss, 807 North Third Street, Phoenix, Arizona; Edward S. Coston, 69 Ninth Street North, Birmingham, Alabama; Anthony O. Jones, 315 Security Building, Phoenix, Arizona; Frank Dee Scriven, 8474 West Third Street, Los Angeles 36, California; Allen C. Hessier, 1275 Clarkson Street, Number 4, Denver 3, Colorado; Michael Dzamki, 3912 First Street, East Chicago, Indiana; S. Howard Rudolph, Junior, Atlantic, Iowa; Fred K. Greer, 427 East Market Street, Princeton, Kentucky; Roy Morgan, Winnfield, Louisiana; James C. Wilt, 842 Columbia Avenue, Cumberland, Maryland; Chester Modzelewski, 67 Davenport Street, Chicopee, Massachusetts; Arthur Madar, 9166 Yorkshire, Detroit, Michigan; John J. Clark, 257 Harrison Street, Biloxi, Mississippi; William E. Blake, 73 Grey, Buffalo 12, New York; Albert Geremia, room 303, 17 Exchange Street, Providence, Rhode Island; Frank E. Richter, 3, 12-14 West Sixth Street, Evansville, Indiana; Frank J. Ross, 1020 East Pleasant, Milwaukee, Wisconsin; Conrad K. Strauss, 160 Holland Avenue, Cowesett, Rhode Island; Paul S. Limerick, 456 Catalina, Webster Groves, Missouri; Raymond O'Brien, 22 North Ryan Street, Buffalo, New York; Dallas P. Richeson, post-office box 2226, Phoenix, Arizona; Fred Nimz, route 6, box 815A, Phoenix, Arizona; Tom Bulman, 243 East Fifteenth Street, Tucson, Arizona; Charles E. Brode, 15 North Lee Street, Cumberland, Maryland; Clyde B. Blanton, 2095 Seventh Avenue, North, Saint Petersburg, Florida; Floyd Cooper, 912 Polk Street, Amarillo, Texas; Paul Moody, 548 South Spring Street, Los Angeles, California; Oliver A. Farabee, Lexington, North Carolina; Thad Males, 329 West Valerio Street, Santa Barbara, California; and such persons who are members of the AMVETS (American Veterans of World War II) and their successors, are created and declared to be a body corporate by the name AMVETS (American Veterans of World

War II) and by such name shall be known and have perpetual succession of the powers, limitations, and restrictions herein contained.

(July 23, 1947, ch. 298, § 1, 61 Stat. 403.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 67a of this title.

§ 67a. Adoption of constitution, bylaws, and declaration of principles; election of officers

A majority of the persons above named and other persons selected from among the membership of AMVETS (American Veterans of World War II), an unincorporated association as set forth in section 67 of this title, met in national convention in Chicago, Illinois, on October 12, 13, and 14, 1945, and then and there, by and through duly elected delegates representing one hundred and thirty-one posts throughout the United States adopted a national constitution, bylaws, and declaration of principles and duly elected national officers for said organization, all as set forth in the Congressional Record, proceedings and debates of the Seventy-ninth Congress, first session, on November 6 and 7, 1945.

(July 23, 1947, ch. 298, § 2, 61 Stat. 405.)

§ 67b. Purposes of corporation

The purposes of this corporation shall be as follows:

(1) To preserve for ourselves and our posterity the great and basic truths and enduring principles upon which this Nation was founded.

(2) To maintain a continuing interest in the welfare and rehabilitation of the disabled veterans of World War II and to establish facilities for the assistance of all veterans and to represent them in their claims before the Veterans' Administration and other organizations without charge.

(3) To dedicate ourselves to the service and best interests of the community, State, and Nation, to the end that our country shall be and remain forever a whole, strong, and free Nation.

(4) To aid and encourage the abolition of prejudice, ignorance, and disease. To encourage universal exercise of the voting franchise, to the end that there shall be elected and maintained in public office men and women who hold such office as a public trust administered in the best interests of all the people.

(5) To advocate the development and means by which all Americans may become enlightened and informed citizens and thus participate fully in the functions of our democracy.

(6) To encourage and support an international organization of all peace-loving nations, to the end that not again shall any nation be permitted to breach their national peace.

(7) To continue to serve the best interests of our Nation in peace as in war.

(8) To develop to the utmost the human, mental, spiritual, and economical resources of our Nation.

(9) To perpetuate and preserve the friendships and comradeship born on the battle front and nurtured in the common experience of service to our Nation during time of war.

(10) To honor the memory of those men and women who gave their lives that a free America and a free world might live by the creation of living memorials in the form of additional educational, cultural, and recreational facilities.

(11) To operate as a corporation not for profit and that no part of the income or assets shall inure to the benefit of any of its members, directors, or officers, nor be distributable thereto otherwise than upon dissolution or final liquidation; and that such corporation is organized and shall be operated exclusively for charitable, educational, patriotic, and civic improvement purposes.

(July 23, 1947, ch. 298, § 3, 61 Stat. 405.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 67c. Powers of corporation

The corporation created shall have the following powers: To have perpetual succession with power to sue and be sued in any court of competent jurisdiction; take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State; to ordain and establish bylaws and regulations not inconsistent with the laws of the United States of America or any State thereof, for the management of its property and the regulation of its affairs; to use in carrying out its purposes such seals, emblems, and badges as it may lawfully adopt; to establish State and regional organizations and local posts; to publish magazines, newspapers, or any other publications consistent with the purposes of the corporation and to do any and all such acts and things as may be necessary and proper to carry into effect the purposes of the corporation.

(July 23, 1947, ch. 298, § 4, 61 Stat. 406.)

CROSS REFERENCES

Additional powers, see section 67i of this title.

§ 67d. Propaganda activities prohibited; nonpolitical nature of corporation; membership of executive committee; headquarters; territorial scope of activities

(1) No part of the activities of the corporation shall consist of carrying on propaganda.

(2) The corporation and its officers and the members of its executive committee as such shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

(3) The current executive committee consists of forty members, namely, Ray Sawyer, Plymouth, New Hampshire; Jack W. Hardy, Title Guaranty Building, Los Angeles, California;

Albert J. Reynolds, 3117 Washington Street, Roxbury, Massachusetts; L. M. Hinshaw, box 558, Asheboro, North Carolina; J. M. Crespi, Sims Building, 12 Auburn Avenue Northeast, Atlanta, Georgia; Arthur J. Madar, 9166 Yorkshire, Detroit 24, Michigan; Kenneth A. Anderson, 7166 South Penn Street, Denver, Colorado; Anthony O. Jones, 315 Security Building, Phoenix, Arizona; Agnes Frazee, post-office box 751, Uniontown, Pennsylvania; Floyd Williams, C-2, 704 North Monroe Street, Arlington, Virginia; William Kipp, 1032 North Dearborn Street, Chicago, Illinois; John J. Carney, 308 Leader Building, Cleveland, Ohio; Doctor John S. Weir, 618 South Main Street, Fond du Lac, Wisconsin; Reverend Sam Hill Ray, Loyola University, New Orleans, Louisiana; Nathan Gordon, Little Rock, Arkansas; Thad Males, 329 West Valerio Street, Santa Barbara, California; Al Grossi, Farmington, Connecticut; Harry M. De Witt, Junior, 2316 Fortieth Street Northwest, Washington, District of Columbia; George E. Burke, 1126 Central Avenue, Saint Petersburg, Florida; Charles L. Crowley, 935 Oglethorpe Avenue, Atlanta, Georgia; L. Harlan Swisher, 306 Davidson Drive, Champaign, Illinois; Arthur Schnipper, 4334 Ivy Street, East Chicago, Indiana; Robert Buckmaster, 158 Woodstock Road, Waterloo, Iowa; William C. Moss, Bogalusa, Louisiana; Edward J. Beauchamp, 163 Lisbon Street, Lewiston, Maine; Thomas Burke, 222 South Street, Fitchburg, Massachusetts; Milton F. Cooney, 55 Naomi Street, Pontiac, Michigan; Paul Limerick, 456 Catalina, Webster Groves, Missouri; Louis W. Zaris, 331 Guarantee Trust Building, Atlantic City, New Jersey; William Hepp, 176 Lafayette Street, Buffalo, New York; J. C. Powell, box 830, Winston-Salem, North Carolina; E. L. Hallowell, 455 Forest Avenue, Dayton, Ohio; K. L. Shirk, 33 North Duke Street, Lancaster, Pennsylvania; Albert Geremia, 277 Webster Avenue, Providence, Rhode Island; Richard H. Dewey, 251 Madison Avenue, Memphis, Tennessee; Ivan Stone, 2708 West Lamar, Houston, Texas; Doctor M. H. Seidner, 406 First Security Bank Building, Ogden, Utah; J. C. McCaughan, Junior, 1904 West Broad Street, Richmond, Virginia; John F. Howell, Junior, 1110½ Seventeenth Street, Parkersburg, West Virginia; and Kenneth Kunde, Quonset Park, Oshkosh, Wisconsin.

(4) The headquarters office and principal place of business of said corporation shall be located in Washington, District of Columbia, but the activities of said organization, as set out herein, shall not be confined to the District of Columbia, but shall be conducted throughout the various States, Territories, and possessions of the United States.

(July 23, 1947, ch. 298, § 5, 61 Stat. 406.)

§ 67e. Membership

Any person who served in the Armed Forces of the United States of America or any American citizen who served in the armed forces of an allied nation of the United States on or after September 16, 1940, and on or before the date of cessation of hostilities as determined by the Government of the United States, is eligible for regular membership in AMVETS, provided such service when terminated by discharge or release from active duty be by honorable discharge or separation. No person who is a member of, or who advocates the principles of, any organization believing in, or working for, the overthrow of the United States Government by force, and no person who refuses to uphold and defend the Constitution of the United States, shall be privileged to become, or continue to be, a member of this organization.

(July 23, 1947, ch. 298, § 6, 61 Stat. 407; Dec. 28, 1950, ch. 1178, 64 Stat. 1122; July 26, 1955, ch. 383, 69 Stat. 375; Sept. 14, 1966, Pub. L. 89-576, 80 Stat. 772.)

AMENDMENTS

1966—Pub. L. 89-576 redefined eligibility for membership in Amvets, substituting "the date of cessation of hostilities as determined by the Government of the United States" for "January 31, 1955".

1955—Act July 26, 1955, substituted "and on or before January 31, 1955" for "and before the legal termination of World War II".

1950—Act Dec. 28, 1950, redefined eligibility for membership in Amvets.

CROSS REFERENCES

Penalty for advocating overthrow of Government, see section 2385 of Title 18, Crimes and Criminal Procedures.

§ 67f. Voting rights of members and convention delegates; executive committee

(1) Each member of the said corporation shall have the right to one vote in the conduct of official business at the post level. Each post shall have the right to elect delegates to national conventions of the corporation, which delegates shall each exercise one vote in the conduct of business of the respective convention to which he is elected.

(2) The executive committee of the said corporation shall consist of one member duly elected to represent each department, and, in addition, all elective officers shall be members of the executive committee, ex officio.

(July 23, 1947, ch. 298, § 7, 61 Stat. 407.)

§ 67g. Omitted

CODIFICATION

Section, act July 23, 1947, ch. 298, § 8, 61 Stat. 407, related to the acquisition by the AMVETS organization of the assets and liabilities of the unincorporated AMVETS organization, and has been omitted from the Code as executed.

§ 67h. Use of assets on dissolution or liquidation

In the event of a final dissolution or liquidation of such corporation, and after the discharge or satisfactory provisions for the discharge of all its liabilities, the remaining assets of the said corporation shall be transferred to the Veterans' Administration to be applied to the care and comfort of disabled veterans of World War II.

(July 23, 1947, ch. 298, § 9, 61 Stat. 407.)

§ 67i. Additional corporate powers

The corporation shall have power to—

(1) Have succession by its corporate name;

(2) Choose such officers, representatives, and agents as are necessary to carry out the purposes of the corporation;

(3) Contract and be contracted with;

(4) Transfer and convey all real or personal property;

(5) Borrow money for the purposes of the corporation, issue bonds therefor, and secure same by mortgage subject in every case to all applicable provisions of Federal or State laws.

(July 23, 1947, ch. 298, § 10, 61 Stat. 407.)

§ 67j. Liability for acts of officials and agents

The corporation shall be liable for the acts of its officials, representatives, and agents when acting within the scope of their authority.

(July 23, 1947, ch. 298, § 11, 61 Stat. 407.)

§ 67k. Agent to accept service of process

The corporation shall maintain in the District of Columbia at all times a designated agent authorized to accept services of processes for such corporation; and notice to or service upon such agent, or mail to the business address of such agent, shall be deemed notice or service upon the corporation.

(July 23, 1947, ch. 298, § 12, 61 Stat. 407.)

§ 67*l*. Election of officers

The following national officers of the said corporation shall be elected by the chosen delegates thereof in annual national conventions, each official delegate casting one vote, to wit: National commander and seven national vice commanders, one of whom shall be a woman; finance officer, adjutant, judge advocate, and provost marshal.

(July 23, 1947, ch. 298, § 13, 61 Stat. 408.)

§ 67m. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, executive committee, and committees having any of the authority of the executive committee; and shall keep at its registered office or principal office a record giving the names and addresses of its members entitled to vote; and permit all books and records of the corporation to be inspected by any member or his agent or his attorney for any proper purpose at any reasonable time.

(July 23, 1947, ch. 298, § 14, 61 Stat. 408.)

§ 67n. Prohibition against issuance of stock or payment of dividends

The corporation shall not have or issue shares of stock, nor declare or pay dividends.

(July 23, 1947, ch. 298, § 15, 61 Stat. 408.)

§ 67o. Loans to officers; liability of officers

No loan shall be made by the corporation to its officers or directors, or any of them, and any directors of the corporation who vote for or assent to the making of a loan or advance to an officer or director of the corporation, and any officer or officers participating in the making of any such loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(July 23, 1947, ch. 298, § 16, 61 Stat. 408.)

§ 67p. Exclusive right to name, seals, emblems, and badges

The corporation and its State, regional, and local subdivisions shall have the sole and exclusive right to have and use in carrying out its purposes the name AMVETS (American Veterans of World War II), and such seals, emblems, and badges as the corporation may lawfully adopt.

(July 23, 1947, ch. 298, § 17, 61 Stat. 408.)

CROSS REFERENCES

Penalty for unauthorized manufacture, reproduction, or sale of badges or emblems of veterans' organizations, see section 705 of Title 18, Crimes and Criminal Procedure.

§ 67q. Agents for service of process

As a condition precedent to the exercise of any power or privilege herein granted or conferred AMVETS (American Veterans of World War II) shall serve notice on the secretary of state, in each State, of the name and address of an authorized agent in such State upon whom legal process or demands against this corporation may be served.

(July 23, 1947, ch. 298, § 18, 61 Stat. 408.)

FEDERAL RULES OF CIVIL PROCEDURE

Service of process upon agent of domestic or foreign corporation, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 67r. Grant and accrual of rights of other national veterans' organizations

Such provisions, privileges, and prerogatives as have been granted heretofore to other national veterans' organizations by virtue of their being incorporated by Congress are granted and accrue to AMVETS (American Veterans of World War II).

(July 23, 1947, ch. 298, § 19, 61 Stat. 408.)

§ 67s. Reservation of right to amend or repeal chapter

The right to repeal, alter, or amend this chapter at any time is expressly reserved.

(July 23, 1947, ch. 298, § 20, 61 Stat. 408.)

CHAPTER 5—GRAND ARMY OF THE REPUBLIC

Sec.

71 to 77. Omitted.

§§ 71 to 77. Omitted

CODIFICATION

Section 71, act June 3, 1924, ch. 242, § 1, 43 Stat. 358, which established a corporation known as the Grand Army of the Republic, with a membership limited to those who served as soldiers and sailors of the United States between Apr. 12, 1861 and Apr. 9, 1865 or in State regiments called into active service between those date and who were honorably discharged, and specified the powers of the corporation, was omitted from the Code in view of the termination of the corporation. See note under section 76 of this title.

Section 72, act June 3, 1924, ch. 242, § 2, 43 Stat. 359, which defined the objects and purposes of the corporation, was omitted from the Code in view of the termination of the corporation. See note under section 76 of this title.

Section 73, act June 3, 1924, ch. 242, § 3, 43 Stat. 359, which provided for a governing body for the corporation, was omitted from the Code in view of the termination of the corporation. See note under section 76 of this title.

Section 74, act June 3, 1924, ch. 242, § 4, 43 Stat. 359, which provided that the governing body determine membership, except as limited by the provision of section 71 of this title, was omitted from the Code in view of the termination of the corporation. See note under section 76 of this title.

Section 75, act June 3, 1924, ch. 242, § 5, 43 Stat. 359, which provided that the activities of the corporation be carried on through certain agencies, was omitted from the Code in view of the termination of the corporation. See note under section 76 of this title.

Section 76, act June 3, 1924, ch. 242, § 6, 43 Stat. 360, which provided that the corporate existence of the Grand Army of the Republic terminate when the last of its members dies, was omitted from the Code as executed.

Section 77, acts June 3, 1924, ch. 242, § 7, 43 Stat. 360; June 25, 1936, ch. 804, 49 Stat. 1921; June 25, 1948, ch. 646, § 32(b), 62 Stat. 991; May 24, 1949, ch. 139, § 127, 63 Stat. 107, which provided for disposal of property and archives, was omitted from the Code in view of the termination of the corporation. See note under section 76 of this title.

CHAPTER 5A—LADIES OF THE GRAND ARMY OF THE REPUBLIC

Sec.

78. Corporation created.
78a. Omitted.
78b. Purposes of corporation.
78c. Powers of corporation.
78d. Membership; voting rights.
78e. Governing body; composition; meetings.
78f. Officers of corporation; selection; tenure; duties.
78g. Principal office; territorial scope of activities; resident agent.
78h. Distribution of income or assets to members; loans.
78i. Nonpolitical nature of corporation.
78j. Liability for acts of officers and agents.
78k. Prohibition against issuance of stock or payment of dividends.
78l. Books and records; inspection.
78m. Repealed.
78n. Report to Congress on activities.
78o. Exclusive right to name, emblems, seals, and badges.
78p. Use of assets on dissolution or liquidation.
78q. Reservation of right to amend or repeal chapter.

§ 78. Corporation created

The following-named persons, to wit: Gussie Laile Morin, Seattle, Washington; Margaret Hopkins Worrell, Ironton, Ohio; Twannette Paull, Kansas City, Missouri; Nellie D. Howe, Grand Rapids, Michigan; Sarah J. Ehrmann, Orange City, Florida; Mabel S. Taylor, Providence, Rhode Island; Edwina P. Trigg, Kansas City, Missouri; Cora M. Rowling, Indianapolis, Indiana; Irene Mangle, Woodruff, Wisconsin; Catherine G. Schroeder, Los Angeles, California; Mabel Y. Coffey, Colorado Springs, Colorado;

Helen M. Lehman, Jersey City, New Jersey; Margaret Grandle, Pittsburg, Kansas; Frances M. Kuhns, Greensburg, Pennsylvania; Gladys W. Newton, Charleston, West Virginia; Olive Vanwagenen, Washington, District of Columbia; Luella Orr, Tulsa, Oklahoma; Edna S. Lindsey, Portland, Oregon; Rosalie E. Leonard, Boise, Idaho; Lura B. Frye, Peoria, Illinois; Theo McCallum, Neenah, Wisconsin; Eloise E. Whitmer, Washington, District of Columbia; Harriet E. Hughes, New York City, New York; Margaret G. Urban, Oakmont, Pennsylvania;

Bertha Hunt, Des Moines, Iowa; Marie E. Godda, Omaha, Nebraska; Anna Hausman, Washington, District of Columbia; Frances C. Linnell, Plymouth, Massachusetts; Alma M. Blitz, Minneapolis, Minnesota; Lila Lovett, Portland, Maine; Eveh M. Ervin, Keene, New Hampshire; Mildred Puckett, Louisville, Kentucky; Ada Anderson, Wilmington, Delaware; and all past national presidents, and their successors, are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Ladies of the Grand Army of the Republic (hereinafter referred to as the corporation), and by such name, shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Pub. L. 86-47, § 1, June 17, 1959, 73 Stat. 76.)

§ 78a. Omitted

CODIFICATION

Section, Pub. L. 86-47, § 2, June 17, 1959, 73 Stat. 77, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 78b. Purposes of corporation

The purposes of the corporation shall be: To perpetuate the memory of the Grand Army of the Republic and of the men who saved the Union in 1861 to 1865; to assist in every practicable way in the preservation and making available for research of documents and records pertaining to the Grand Army of the Republic and its members; to cooperate in doing honor to all those who have patriotically served our country in any way; to teach patriotism and the duties of citizenship, the true history of our country, and the love and honor of our flag; to oppose every tendency or movement that would weaken loyalty to, or make for the destruction or impairment of, our constitutional Union; and to inculcate and broadly sustain the American principles of representative government, of equal rights, and of impartial justice for all.

(Pub. L. 86-47, § 3, June 17, 1959, 73 Stat. 77.)

§ 78c. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the activities of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws; not inconsistent with the laws of the United States or of any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any public body or

agency or any private corporation, association, partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal, or mixed property;

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise, subject in every case to all applicable provisions of Federal and State laws; and

(10) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

(Pub. L. 86-47, § 4, June 17, 1959, 73 Stat. 77.)

§ 78d. Membership; voting rights

(a) Eligibility for membership in the corporation and the rights, privileges, and designation of classes of membership shall, except as provided in this chapter, be determined as the constitution and bylaws of the corporation may provide. Eligibility for membership in the corporation shall be limited to female blood relatives of persons who served between April 12, 1861, and April 9, 1865, as soldiers or sailors of the United States Army, Navy, Marine Corps, or Revenue-Cutter Service, and of such State regiments as were called into active service and were subject to orders of United States general officers between the dates above mentioned and were honorably discharged therefrom at the close of such service or who died in such service.

(b) Each member of the corporation shall have the right to one vote in each matter submitted to a vote at all meetings of the members of the corporation.

(Pub. L. 86-47, § 5, June 17, 1959, 73 Stat. 78.)

REVENUE CUTTER SERVICE

The Coast Guard was established in lieu of the Revenue Cutter Service and the Life-Saving Service by act Jan. 28, 1915, ch. 20, § 1, 38 Stat. 800. That act was repealed by act Aug. 4, 1949, ch. 393, § 20, 63 Stat. 561, section 1 of which reestablished the Coast Guard by enacting Title 14, Coast Guard.

§ 78e. Governing body; composition; meetings

The supreme governing authority of the corporation shall be the national convention thereof, composed of such officers and elected representatives from the several States and other local subdivisions of the corporate organization as shall be provided by the constitution and bylaws: *Provided,* That the form of the government of the corporation shall always be representative of the membership at large and shall not permit the concentration of control thereof in the hands of a limited number of members or in a self-perpetuating group not so representative. The meetings of the national convention may be held in any State or Territory or in the District of Columbia.

(Pub. L. 86-47, § 6, June 17, 1959, 73 Stat. 78.)

§ 78f. Officers of corporation; selection; tenure; duties

The officers of the corporation shall be selected in such manner and for such terms and with such duties and titles as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 86-47, § 7, June 17, 1959, 73 Stat. 78.)

§ 78g. Principal office; territorial scope of activities; resident agent

(a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may later be determined by the corporation, but the activities of the corporation shall not be confined to that place and may be conducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Pub. L. 86-47, § 8, June 17, 1959, 73 Stat. 78.)

§ 78h. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the council of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the council of administration who votes for or assents to the making of a loan or advance to an officer or employee of the corporation, and any officer who participates in the making of such loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 86-47, § 9, June 17, 1959, 73 Stat. 78.)

§ 78i. Nonpolitical nature of corporation

The corporation and its officers and agents as such shall not contribute to any political party or candidate for public office.

(Pub. L. 86-47, § 10, June 17, 1959, 73 Stat. 79.)

§ 78j. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 86-47, § 11, June 17, 1959, 73 Stat. 79.)

§ 78k. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Pub. L. 86-47, § 12, June 17, 1959, 73 Stat. 79.)

§ 78*l*. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national conventions and council of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purposes, at any reasonable time.

(Pub. L. 86-47, § 13, June 17, 1959, 73 Stat. 79.)

§ 78m. Repealed. Pub. L. 88-504, § 4(7), Aug. 30, 1964, 78 Stat. 636

Section, Pub. L. 86-47, § 14, June 17, 1959, 73 Stat. 79, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 78n. Report to Congress on activities

On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year. Such report shall not be printed as a public document.

(Pub. L. 86-47, § 15, June 17, 1959, 73 Stat. 79.)

§ 78*o*. Exclusive right to name, emblems, seals, and badges

The corporation and its subordinate divisions shall have the sole and exclusive right to use the name, "Ladies of the Grand Army of the Republic". The corporation shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as have heretofore been used by the Ladies of the Grand Army of the Republic.

(Pub. L. 86-47, § 16, June 17, 1959, 73 Stat. 79.)

§ 78p. Use of assets on dissolution or liquidation

Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the council of administration and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

(Pub. L. 86-47, § 17, June 17, 1959, 73 Stat. 80.)

§ 78q. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 86-47, § 18, June 17, 1959, 73 Stat. 80.)

CHAPTER 6—UNITED STATES BLIND VETERANS OF WORLD WAR I

Sec.
81. Corporation created.
82. Omitted.
83. Purposes of corporation.
84. Powers of corporation.
85. Membership.
86. Nonpolitical nature of corporation.
87. Exclusive right to name.
88. Reservation of right to amend or repeal chapter.

§ 81. Corporation created

The following persons, to wit: James P. Funk, of Pennsylvania; Bernard Corcoran, of New York; James Kozeluh, of Arkansas; Earl Booher, of Kansas; Carl Bronner, of Michigan; Samuel Hendrickson, of Cincinnati; Harvey E. Gilbert, of Illinois; Quiller Cole, of Georgia; Lawrence A. Bunce, of Colorado; Ludwig Guminish, of New York; Richard H. Miller, junior, of Maryland; Charles R. Fear, of Pennsylvania; Oscar M. Simpkins, of Oklahoma; Everett L. Radford, of Texas; Thomas H. Huskey, of Missouri; Lee M. Brame, of Alabama; Frank O. Berg, of Wisconsin; Henry G. Beggs, of Georgia; Lawrence V. Morrow, of Missouri; Charles R. Leguerrir, of Missouri; Walter Taylor, of Missouri; Laigear Antee, of Louisiana; Alois F. Greene, of Illinois; Loyal M. Holmes, of Maryland; Newton A. Kulp, of Pennsylvania; Roswell D. Pitman, of New York; Connie L. McLean, of Texas; Hamilton C. Miles, of Ohio; John J. Austin, of South Dakota; Irvine E. Barnes, of Missouri; Bertie W. Randall, of Missouri; Max N. Kujawski, of Indiana; Charles Freeland, of Illinois; James M. Daniels, of Tennessee; William E. Yates, of Texas; Mike Kereli, of Ohio; Peter Lionudakes, of Utah; Vaclav T. Jesek, of Texas; Samuel Hillman, of Ohio; Herbert S. Journeau, of Michigan; Charles F. Ross, of New York; Morgan Rose, of New York; Walter F. Develing, of Illinois; Rudolph E. Frye, of Maryland; Steve D. Tanner, of Montana; Joseph Hulin, of North Carolina; Blaine G. Yeoman, of Oklahoma; Thomas Williams, of West Virginia; William J. Murray, of New York; Ivan E. Bushong, of Washington; Raymond Washburn, of Ohio; William P. Alexander, of Kentucky; Burl Glover, of Ohio; John H. Williams, of Washington; Joseph L. Herver, of Oklahoma; Daniel Carbone, of Pennsylvania; John J. Varga, of Connecticut; John J. Rapp, of Pennsylvania; Charles S. Bennett, of Arkansas; Richard Knigge, of Idaho; Walter Mau, of New York; Domenico Capuczi, of New York; John Kosic, of Massachusetts; Raymond S. Day, of Pennsylvania; Harry Herring, of Pennsylvania; Samuel Singer, of Massachusetts; George Graves, of Missouri; Abe Kittay, of New York; John Halahan, of Pennsylvania; Frank J. Lhota, of Pennsylvania; Edward J. Paulson, of Pennsylvania; Ellis De Witt, of the District of Columbia; Bernard Cady, of Maryland; John Marzullo, of Illinois; Joe Brew, of Pennsylvania; Lloyd Pierson, of Nebraska; Philip N. Harrison, of Pennsylvania, and their successors, are created and declared to be a body corporate of the District of Columbia. The name of this corporation shall be "The United States Blind Veterans of the World War."

(June 7, 1924, ch. 296, § 1, 43 Stat. 535.)

§ 82. Omitted

CODIFICATION

Section, act June 7, 1924, ch. 296, § 2, 43 Stat. 535, which related to the procedure for the completion of the organization of the corporation, was omitted as executed.

§ 83. Purposes of corporation

The purposes of the corporation are to bind together for their mutual fellowship and assistance those citizens of the United States of America who have served their country in war, and who bear as a mark of such service the loss of their sight and to perpetuate and keep alive the memories of their comradeship and to enable them by their organization to render what aid they can to the blind in general.

(June 7, 1924, ch. 296, § 3, 43 Stat. 535.)

§ 84. Powers of corporation

The corporation created by this chapter shall have the following powers: To have perpetual succession with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate and personal property as shall be necessary for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt a constitution, bylaws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or of any State; to use in carrying out the purposes of the corporation such emblems and badges as it may adopt; to establish and maintain offices for the conduct of its business; to establish State and Territorial organizations and local chapter or post organizations; to publish a magazine or other publications, and generally do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

(June 7, 1924, ch. 296, § 4, 43 Stat. 536.)

FEDERAL RULES OF CIVIL PROCEDURE

Federal Rules of Civil Procedure as governing the procedure in all suits of a civil nature whether cognizable as cases at law or in equity, see rule 1, Title 28, Appendix, Judiciary and Judicial Procedure.

One form of action, see rule 2.

Service of process upon agent of domestic or foreign corporation, see rule 4.

§ 85. Membership

Any honorably discharged American veteran of the allied forces who participated in the World War and whose vision has become defective to such an extent that he is eligible for training under Supervisor for the Blind of the Veterans' Administration, and any ex-service man who is eligible for such training shall be eligible for "active membership" in the United States Blind Veterans of the World War. The members of this corporation shall have the power to admit such other persons to "honorary" membership as they may see fit.

(June 7, 1924, ch. 296, § 5, 43 Stat. 536.)

TRANSFER OF FUNCTIONS

"Veterans' Administration" was substituted for "United States Veterans' Bureau" pursuant to act July 3, 1930, ch. 863, § 1, 46 Stat. 1016, which consolidated the Bureau of Pensions, the National Home for Disabled Volunteer Soldiers, and the United States Veterans' Bureau into the Veterans' Administration. Act July 3, 1930 was repealed by section 2202(125) of Pub. L. 85-56, title XXII, June 17, 1957, 71 Stat. 163. Section 201 of Pub. L. 85-56 continued the Veterans' Administration as an independent establishment in the executive branch of the Government. See section 201 of Title 38, Veterans' Benefits.

§ 86. Nonpolitical nature of corporation

This organization shall be nonpolitical and shall not be used for the dissemination of partisan principles.

(June 7, 1924, ch. 296, § 6, 43 Stat. 536.)

§ 87. Exclusive right to name

The corporation and its State and local subdivisions shall have the sole and exclusive right to have and to use in carrying out its purposes the name "The United States Blind Veterans of the World War."

(June 7, 1924, ch. 296, § 7, 43 Stat. 536.)

§ 88. Reservation of right to amend or repeal chapter

The right to repeal, alter, or amend this chapter at any time is expressly reserved.

(June 7, 1924, ch. 296, § 8, 43 Stat. 536.)

CHAPTER 6A—DISABLED AMERICAN VETERANS

Sec.
90a. Corporation created.
90b. Omitted.
90c. Purposes of corporation.
90d. Powers of corporation.
90e. Membership.
90f. Nonpolitical nature of corporation.
90g. Acquisition of assets and liabilities of existing organization.
90h. Exclusive right to name.
90i. Annual reports.
  (a) Reports to Congress.
  (b) Reports to Comptroller General; audit of accounts; payment of reimbursements into the Treasury.
90j. Agents for service of process.
90k. Reservation of right to amend or repeal chapter.

§ 90a. Corporation created

The following persons, to wit, Robert S. Marx, of Ohio; William J. Donovan, of New York; H. G. Lightner, of Kentucky; A. B. Powell, of Alabama; Glenn E. Miner, of Arizona; George H. H. Pratt, of Arkansas; Volney P. Mooney, junior, of California; A. E. Sherlock, of Colorado; Peter Nugent, of Connecticut; Miles H. Draper, of Florida; William E. Tate, of Georgia; Jesse J. McQueen, of Idaho; Herman H. Weimer, of Illinois; S. G. Smelser, of Indiana; Henry J. Bitters, of Iowa; E. C. Moore, of Kansas; L. C. Mayeux, of Louisiana; F. J. McCarthy, of Maine; George W. Golden, of Maryland; J. W. McQueen, of Missouri; Leon C. Waite, of Massachusetts; L. E. Sharp, of Michigan; George E. Leach, of Minnesota; Quintus E. Camp, of Mississippi; John W. Mahan, of Montana; Leonard D. Densmore, of Nebraska; I. A. Lougaris, of Nevada; E. P. Badger, of New Hampshire; W. J. Dodd, of New Jersey; Carl F. Whittaker, of New Mexico; Malcolm Smith, of North Carolina; H. J. Muehlenbein, of North Dakota; Fletcher Riley, of Oklahoma; Lile

Dailey, of Oregon; J. J. O'Leary, of Pennsylvania; Arthur Cole, of Rhode Island; G. G. Blackman, of South Carolina; Albert Haugse, of South Dakota; Reuben D. Hays, of Tennessee; M. A. Harlan, of Texas; Gaylen S. Young, of Utah; Malvern S. Ellis, of Vermont; George D. Simmons, of Virginia; Miles Price, of Washington; W. J. O'Neil, of West Virginia; Reverend G. Stearns, of Wisconsin; and such persons as may be chosen who are members of the Disabled American Veterans of the World War, and their successors, are created and declared to be a body corporate. The name of this corporation shall be the "Disabled American Veterans."

(June 17, 1932, ch. 268, § 1, 47 Stat. 320; July 15, 1942, ch. 505, § 1, 56 Stat. 659.)

AMENDMENTS

1942—Act July 15, 1942, changed name of corporation from "Disabled American Veterans of the World War" to "Disabled American Veterans" in last sentence.

§ 90b. Omitted

CODIFICATION

Section, act June 17, 1932, ch. 268, § 2, 47 Stat. 320, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 90c. Purposes of corporation

The purposes of this corporation shall be—

To uphold and maintain the Constitution and the laws of the United States, to realize the true American ideals and aims for which those eligible to membership fought; to advance the interests and work for the betterment of all wounded, injured, and disabled American veterans; to cooperate with the United States Veterans' Administration and all other public and private agencies devoted to the cause of improving and advancing the condition, health, and interests of all wounded, injured, and disabled veterans; to stimulate a feeling of mutual devotion, helpfulness, and comradeship among all wounded, injured, and disabled veterans; to serve our comrades, our communities, and our country; and to encourage in all people that spirit of understanding which will guard against future wars.

(June 17, 1932, ch. 268, § 3, 47 Stat. 320; July 15, 1942, ch. 505, § 2, 56 Stat. 660.)

AMENDMENTS

1942—Act July 15, 1942, omitted references to veterans "of the World War" and inserted clause "to serve our comrades, our communities, and our country;".

§ 90d. Powers of corporation

The corporation created by this chapter shall have the following powers: To have perpetual succession with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate and personal property as shall be necessary for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt a constitution, bylaws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or any State; to use in carrying out the purposes of the corporation such emblems and badges as it may adopt; to establish and maintain offices for the conduct of its business; to establish State and Territorial organizations and local chapter or post organizations; to publish a newspaper or other publications devoted to the purposes of the corporation; and generally to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

(June 17, 1932, ch. 268, § 4, 47 Stat. 321.)

CROSS REFERENCES

Recognition by Administrator of Veterans' Affairs of representatives of Disabled American Veterans for prosecution of claims under laws administered by the Veterans' Administration, see section 3402 of Title 38, Veterans' Benefits.

FEDERAL RULES OF CIVIL PROCEDURE

Federal Rules of Civil Procedure as governing the procedure in all suits of a civil nature whether cognizable as cases at law or in equity, see rule 1, Title 28, Appendix, Judiciary and Judicial Procedure.

One form of action, see rule 2.

§ 90e. Membership

Any man or woman who was wounded, gassed, injured, or disabled in line of duty during time of war while in the service of either the military or naval forces of the United States of America, and who has been honorably discharged or separated from such service, or who may still be in active service in the armed forces of the United States, is eligible for membership in the Disabled American Veterans. Others who were disabled while serving with any of the armed forces of any nations associated with the United States as allies during any of its war periods, who are American citizens and who were honorably discharged, are also eligible. The Disabled American Veterans shall not have honorary members.

(June 17, 1932, ch. 268, § 5, 47 Stat. 321; July 15, 1942, ch. 505, § 3, 56 Stat. 660.)

AMENDMENTS

1942—Act July 15, 1942, omitted limitation on membership to disabled veterans of World War I, among other changes.

§ 90f. Nonpolitical nature of corporation

The organization shall be nonpolitical and nonsecretarian, and as an organization shall not promote the candidacy of any person seeking public office.

(June 17, 1932, ch. 268, § 6, 47 Stat. 321; July 15, 1942, ch. 505, § 4, 56 Stat. 660.)

AMENDMENTS

1942—Act July 15, 1942, omitted comma and inserted "and" following "nonpolitical", inserted "and" preceding "as", and substituted "person" for "persons" preceding "seeking".

§ 90g. Acquisition of assets and liabilities of existing organization

Said corporation may acquire any or all of the assets of the existing unincorporated national organization known as the Disabled American Veterans of the World War upon discharging or satisfactorily providing for the payment and discharge of all its liabilities.

(June 17, 1932, ch. 268, § 7, 47 Stat. 321.)

§ 90h. Exclusive right to name

Said corporation, and its State and local subdivisions, shall have the sole and exclusive right to have and to use in carrying out its purposes the name "Disabled American Veterans".

(June 17, 1932, ch. 268, § 8, 47 Stat. 321; July 15, 1942, ch. 505, § 5, 56 Stat. 660.)

AMENDMENTS

1942—Act July 15, 1942, changed "Disabled Veterans of the World War" to "Disabled American Veterans".

§ 90i. Annual reports

(a) Reports to Congress

The said corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress a report of its proceedings for its preceding fiscal year.

(b) Reports to Comptroller General; audit of accounts; payment of reimbursements into the Treasury

(1) The said corporation shall as soon as practicable after the close of each of its fiscal years make and transmit to the Comptroller General a report of its proceedings for the preceding fiscal year, including a full, complete, and itemized report of receipts and expenditures of whatever kind, which report shall be duly audited by the Comptroller General.

(2) The said corporation shall annually reimburse the Comptroller General for auditing its accounts, and the sums so paid shall be covered into the Treasury of the United States as miscellaneous receipts.

(June 17, 1932, ch. 268, § 9, 47 Stat. 321; July 15, 1942, ch. 505, § 6, 56 Stat. 660; Aug. 30, 1964, Pub. L. 88-504, § 4(8), 78 Stat. 636; Dec. 18, 1967, Pub. L. 90-208, § 1, 81 Stat. 655.)

AMENDMENTS

1967—Pub. L. 90-208 designated existing provisions as subsec. (a) and added subsec. (b).

1964—Pub. L. 88-504 deleted ", including a full and complete report of its receipts and expenditures" following "fiscal year".

1942—Act July 15, 1942, changed period of annual report from calendar year to fiscal year and omitted proviso that report shall not be printed as a public document.

EFFECTIVE DATE OF 1967 AMENDMENT

Section 2 of Pub. L. 90-208 provided that: "The amendment made by this Act [to this section] shall be effective with respect to each fiscal year of the Disabled American Veterans beginning after the date of enactment of this Act [Dec. 18, 1967]."

§ 90j. Agents for service of process

As a condition precedent to the exercise of any power or privilege herein granted or conferred, the Disabled American Veterans shall file in the office of the secretary of each State, in which chapters thereof may be organized, the name and post-office address of an authorized agent in such State, upon whom legal process or demands against the Disabled American Veterans may be served.

(June 17, 1932, ch. 268, § 10, 47 Stat. 321; July 15, 1942, ch. 505, § 7, 56 Stat. 660.)

AMENDMENTS

1942—Act July 15, 1942, omitted "of the World War" following "Veterans" in both places, "posts" preceding "chapters", and "or subdivisions" following "chapters".

FEDERAL RULES OF CIVIL PROCEDURE

Agent authorized by appointment or law to receive service of process, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 90k. Reservation of right to amend or repeal chapter

The right to repeal, alter, or amend this chapter at any time is expressly reserved.

(June 17, 1932, ch. 268, § 11, 47 Stat. 322.)

CHAPTER 7—AMERICAN WAR MOTHERS

Sec.
91. Corporation created.
92. Omitted.
93. Objects of corporation.
94. Meetings.
95. Powers of corporation.
96. Property; exemption from taxation.
97. Membership.
98. Nonpolitical nature of corporation.
99. Omitted.
100. Exclusive right to name.
101. Reports to Congress.
102. Agents for service of process.
103. Omitted.
104. Reservation of right to amend or repeal chapter.
105. Omitted.

§ 91. Corporation created

The following-named persons, namely: Alice M. French, founder, Indianapolis, Indiana; Mable C. Digney, State War Mother, White Plains, New York; Mrs. George Gordon Seibold, Washington, District of Columbia; Mary I. Huntington, State War Mother, Bloomington, Indiana; Edna C. Wilson, State War Mother, Warrensburg, Missouri; Libbie Thomas, State War Mother, Racine, Wisconsin; Virginia Heaen, State War Mother, Frankfort, Kentucky; A. Shanahan, State War Mother, Jersey City, New Jersey; Blanche A. Bellak, State War Mother, Philadelphia, Pennsylvania; Lydia Burby, State War Mother, Butte, Montana; Estelle T. Wilcox, State War Mother, Omaha, Nebraska; Emile Hendricks, State War Mother, Salem, Oregon; Grace R. Montgomery, State War Mother, Charlotte, North Carolina; Kate C. DeKay, State War Mother, Blackfoot, Idaho; Elizabeth Allen, State War Mother, Loveland, Colorado; Ida McCullough, State War Mother, Ottawa, Illinois; Rose S. Sargent, State War Mother, San Francisco, California; Jessie Monahan, State War Mother, Edmond, Oklahoma; Margaret N. McCluer, Kansas City, Missouri; Carrie R. Root, Gardner, Illinois; Mary E. Spence, Milwaukee, Wisconsin; Alice Bronson Oldham, Lexington, Kentucky; Florence A. Latham, Kansas City, Missouri; Mahala M. Boyd, New Castle, Indiana; Carrie White Avery, Washington, District of Columbia; H. C. Morrison, Shelbyville, Indiana; Jeanette Boone, Kansas City, Missouri; Gertrude R. Cary, Joliet, Illinois; Mrs. R. E. Little, Wadesboro, North Carolina; Mrs. Isabelle Clements, Sacramento, California; Mrs. Alice E. Evans, Pueblo, Colorado; Mrs. Mary Dawson, Idaho Falls, Idaho; Mrs. Jessie T. Lesh, Chicago, Illinois; Mrs. Harry C. Morrison, Shelbyville, Indiana; Mrs. Jessie E. Moody, Carterville, Missouri; Mrs. J. L. Roddy, North Platte, Nebraska; Mrs. Catherine H. Connelly, Newark, New Jersey; Mrs. Ella O'Gorman Stanton, Bronx, New York City, New York; Mrs. R. C. Warren, Gastonia, North Carolina; Mrs. Hattie V. Selkin, Oklahoma City, Oklahoma; Mrs. Ida Boxwell, Middletown, Ohio; Mrs. Charles S. Fohl, Harrisburg, Pennsylvania; Mrs. E. L. Phillip, Milwaukee, Wisconsin; Mrs. Julia A. Wilkinson, Portland, Maine; and their associates and successors duly chosen are incorporated and declared to be a body corporate of the District of Columbia by the name of American War Mothers, and by such name shall be known and have perpetual succession with the powers, limitations, and restrictions herein contained.

(Feb. 24, 1925, ch. 303, § 1, 43 Stat. 966.)

§ 92. Omitted.

CODIFICATION

Section, act Feb. 24, 1925, ch. 303, § 2, 43 Stat. 967, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 93. Objects of corporation

The object of the corporation shall be to keep alive and develop the spirit that promoted world service; to maintain the ties of fellowship born of that service and to assist and further any patriotic work; to inculcate a sense of individual obligation to the community, State, and Nation; to work for the welfare of the Army and Navy; to assist in any way in their power men and women who served and were wounded or incapacitated in the World War; to foster and promote friendship and understanding between America and the Allies in the World War.

(Feb. 24, 1925, ch. 303, § 3, 43 Stat. 967.)

§ 94. Meetings

The corporation shall hold its meetings in such place as the incorporators or their successors shall determine.

(Feb. 24, 1925, ch. 303, § 4, 43 Stat. 967.)

§ 95. Powers of corporation

The corporation created by this chapter shall have the following powers: To have succession until the membership as hereinafter provided for shall become extinct, with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate and personal property as shall be necessary for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt a constitution, bylaws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or of any State; to use in carrying out the purposes of the corporation such emblems and badges as it may adopt; to establish and maintain offices for the conduct of its business; to establish State, Territorial, and local subdivisions; to publish a magazine or other publications, and generally to do any and all such acts and things as may be necessary and proper to carry into effect the purposes of the corporation.

(Feb. 24, 1925, ch. 303, § 5, 43 Stat. 967.)

FEDERAL RULES OF CIVIL PROCEDURE

Federal Rules of Civil Procedure as governing the procedure in all suits of a civil nature whether cognizable as cases at law or in equity, see rule 1, Title 28, Appendix, Judiciary and Judicial Procedure.

One form of action, see rule 2.

Service of process upon agent of domestic or foreign corporation, see rule 4.

§ 96. Property; exemption from taxation

All of the personal property and funds of the corporation held or used for the purposes hereof, pursuant to the provisions of this chapter, whether of principal or income, shall, so long as the same shall be so used, be exempt from taxes by the United States or any Territory or District thereof. The corporation shall not accept, own, or hold directly or indirectly any property, real or personal, except such as may be reasonably necessary to carry out the purposes of its creation as defined in this chapter.

(Feb. 24, 1925, ch. 303, § 6, 43 Stat. 967.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 97. Membership

The membership of American War Mothers is limited to women, and no woman shall be and become a member of this corporation unless she is a citizen of the United States and unless her son or sons or daughter or daughters of her blood, her legally adopted son or sons or legally adopted daughter or daughters, or her stepson or stepsons or stepdaughter or stepdaughters served in the Armed Forces of the United States or of its allies in World War I, World War II, the Korean conflict, or any subsequent war or conflict involving the United States, having an honorable discharge from such service, or being still in the service.

(Feb. 24, 1925, ch. 303, § 7, 43 Stat. 968; Sept. 26, 1942, ch. 563, 56 Stat. 758; June 26, 1953, ch. 152, 67 Stat. 81; Apr. 12, 1974, Pub. L. 93-267, 88 Stat. 85.)

AMENDMENTS

1974—Pub. L. 93-267 extended membership in American War Mothers to certain adoptive mothers and stepmothers.

1953—Act June 26, 1953, substituted "Armed Forces of the United States or of its allies" for "Army or Navy of the United States, or in the military or naval service of its allies", and extended its provisions to the Korean conflict and to any subsequent war or conflict involving the United States.

1942—Act Sept. 26, 1942, extended its provisions to include the World War commencing in 1941.

§ 98. Nonpolitical nature of corporation

This organization shall be nonpolitical, nonsectarian, nonpartisan, and nonprofit, and as an organization shall not promote the candidacy of any person seeking public office.

(Feb. 24, 1925, ch. 303, § 8, 43 Stat. 968; June 26, 1953, ch. 152, 67 Stat. 81.)

AMENDMENTS

1953—Act June 26, 1953, inserted "nonsectarian, nonpartisan, and nonprofit".

§ 99. Omitted

CODIFICATION

Section, act Feb. 24, 1925, ch. 303, § 9, 43 Stat. 968, which authorized the corporation to acquire the assets and liabilities of the association known as the "American War Mothers", was omitted from the Code as executed.

§ 100. Exclusive right to name

The corporation and its State, Territorial, and local subdivisions shall have the sole and exclusive right to have and to use in carrying out its business purposes the name of American War Mothers.

(Feb. 24, 1925, ch. 303, § 10, 43 Stat. 968.)

§ 101. Reports to Congress

The corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress a report of its proceedings for the preceding calendar year. Said report shall not be printed as a public document.

(Feb. 24, 1925, ch. 303, § 11, 43 Stat. 968; Aug. 30, 1964, Pub. L. 88-504, § 4(9), 78 Stat. 636.)

AMENDMENTS

1964—Pub. L. 88-504 deleted ", including a full and complete report of its receipts and expenditures" following "calendar year".

§ 102. Agents for service of process

As a condition precedent to the exercise of any power or privilege herein granted or conferred the corporation shall file in the office of the secretary of each State the name and post-office address of an authorized agent in such State upon whom local process or demands against American War Mothers may be served.

(Feb. 24, 1925, ch. 303, § 12, 43 Stat. 968.)

FEDERAL RULES OF CIVIL PROCEDURE

Agent authorized by appointment or law to receive service of process, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 103. Omitted

CODIFICATION

Section, act Feb. 24, 1925, ch. 303, § 13, 43 Stat. 968, which related to the procedure for the acceptance of the charter of the corporation, was omitted from the Code as executed.

§ 104. Reservation of right to amend or repeal chapter

Congress may from time to time alter, repeal, or modify this chapter of incorporation, but no contract or individual right made or acquired shall be divested or impaired.

(Feb. 24, 1925, ch. 303, § 14, 43 Stat. 968.)

§ 105. Omitted

CODIFICATION

Section, act Feb. 24, 1925, ch. 303, § 15, 43 Stat. 968, named officers of American War Mothers to serve until Oct. 8, 1925, or until their successors were duly appointed.

CHAPTER 7A—VETERANS OF FOREIGN WARS OF THE UNITED STATES

Sec.
111. Corporation created.
112. Omitted.
113. Purposes of corporation.
114. Powers of corporation.
115. Membership.
116. Omitted.
117. Exclusive right to name, seal, emblems, and badges.
118. Reports to Congress.
119. Agents for service of process.
120. Reservation of right to amend or repeal chapter.

§ 111. Corporation created

The following persons, to wit: James E. Van Zandt, Altoona, Pennsylvania; Bernard K. Kearney, Gloversville, New York; Scott P. Squyres, Oklahoma City, Oklahoma; Robert B. Handy, Junior, Kansas City, Missouri; Henry F. Marquard, Chicago, Illinois; William E. Guthner, Denver, Colorado; Edward J. Neron, Sacramento, California; Joseph C. Menendez, New Orleans, Louisiana; Paul L. Foulk, Altoona, Pennsylvania; Robert E. Kernodle, Kansas City, Missouri; Walter I. Joyce, New York City, New York; George A. Ilg, Cranston, Rhode Island; James F. Daley, Hartford, Connecticut; Charles R. Haley, Pittsburgh, Pennsylvania; F. C. Devericks, Clarksburg, West Virginia; John J. Skillman, Miami, Florida; Ellie H. Schill, New Orleans, Louisiana; Gerald C. Mathias, Lagrange, Indiana; James W. Starner, Effingham, Illinois; Leon S. Pickens, Wichita, Kansas; Archie W. Nimens, Minneapolis, Minnesota; Harvey W. Snyder, Denver, Colorado; Charles O. Carlston, San Francisco, California; Walter L. Daniels, Seattle, Washington; John E. Swaim, Tulsa, Oklahoma; Peter J. Rosch, Washington, District of Columbia; and their successors, who are, or who may become, members of the Veterans of Foreign Wars of the United States, a national association of men who as soldiers, sailors, marines and airmen have served this Nation in wars, campaigns, and expeditions on foreign soil or in hostile waters, and such national association, are created and declared a body corporate, known as the Veterans of Foreign Wars of the United States.

(May 28, 1936, ch. 471, § 1, 49 Stat. 1390; May 29, 1953, ch. 85, § 1, 67 Stat. 40.)

AMENDMENTS

1953—Act May 29, 1953, included airmen.

§ 112. Omitted

CODIFICATION

Section, act May 28, 1936, ch. 471, § 2, 49 Stat. 1390, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 113. Purposes of corporation

The purposes of this corporation shall be fraternal, patriotic, historical, and educational; to preserve and strengthen comradeship among its members; to assist worthy comrades; to perpetuate the memory and history of our dead, and to assist their widows and orphans; to maintain true allegiance to the Government of the United States of America, and fidelity to its

Constitution and laws; to foster true patriotism; to maintain and extend the institutions of American freedom; and to preserve and defend the United States from all her enemies, whomsoever.

(May 28, 1936, ch. 471, § 3, 49 Stat. 1391.)

§ 114. Powers of corporation

The corporation created by this chapter shall have the following powers: To have perpetual succession with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate, personal property, money, contract, rights, and privileges as shall be deemed necessary and incidental for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt, amend, apply, and administer a constitution, bylaws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or of any State; to adopt, and have the exclusive right to manufacture and use such emblems and badges as may be deemed necessary in the fulfillment of the purposes of the corporation; to establish and maintain offices for the conduct of its business; to establish, regulate, or discontinue subordinate State and Territorial subdivisions and local chapters or posts; to publish a magazine or other publications, and generally to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

(May 28, 1936, ch. 471, § 4, 49 Stat. 1391.)

CROSS REFERENCES

Loan or gift of condemned or obsolete material by Secretary of military department or Secretary of Treasury, see section 2572 of Title 10, Armed Forces.

Recognition by Administrator of Veterans' Affairs of representatives of the Veterans of Foreign Wars for prosecution of claims under laws administered by the Veterans' Administration, see section 3402 of Title 38, Veterans' Benefits.

FEDERAL RULES OF CIVIL PROCEDURE

Federal Rules of Civil Procedure as governing the procedure in all suits of a civil nature whether cognizable as cases at law or in equity, see rule 1, Title 28, Appendix, Judiciary and Judicial Procedure.

One form of action, see rule 2.

§ 115. Membership

No person shall be a member of this corporation unless he has served honorably as an officer or enlisted man in the Armed Forces of the United States of America in any foreign war, insurrection, or expedition, which service shall be recognized as campaign-medal service and governed by the authorization of the award of a campaign badge by the Government of the United States of America.

(May 28, 1936, ch. 471, § 5, 49 Stat. 1391; May 29, 1953, ch. 85, § 2, 67 Stat. 40.)

AMENDMENTS

1953—Act May 29, 1953, extended membership eligibility to all persons who have served in the Armed Forces and are otherwise eligible.

§ 116. Omitted

CODIFICATION

Section, act May 28, 1936, ch. 471, § 6, 49 Stat. 1391, which authorized the corporation to acquire the assets and liabilities of the association known as the Veterans of Foreign Wars of the United States, was omitted from the Code as executed.

§ 117. Exclusive right to name, seal, emblems, and badges

The said corporation shall have the sole and exclusive right to have and to use, in carrying out its purposes, the name "Veterans of Foreign Wars of the United States" and the sole and exclusive right to the use of its corporate seal, emblems, and badges as adopted by said corporation.

(May 28, 1936, ch. 471, § 7, 49 Stat. 1391.)

§ 118. Reports to Congress

Said corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress a report of its proceedings for the preceding fiscal year: *Provided, however,* That said report shall not be printed as a public document.

(May 28, 1936, ch. 471, § 49 Stat. 1391; Aug. 30, 1964, Pub. L. 88-504, § 4(10), 78 Stat. 637.)

AMENDMENTS

1964—Pub. L. 88-504 deleted ", including a full and complete report of its receipts and expenditures" following "fiscal year" and "financial" preceding "report shall not be printed."

§ 119. Agents for service of process

As a condition precedent to the exercise of any power or privilege herein granted or conferred, the Veterans of Foreign Wars of the United States shall file in the office of the Secretary of State of each State the name and post-office address of an authorized agent in such State upon whom legal process or demands against the Veterans of Foreign Wars of the United States may be served.

(May 28, 1936, ch. 471, § 9, 49 Stat. 1391.)

FEDERAL RULES OF CIVIL PROCEDURE

Agent authorized by appointment or law to receive service of process, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 120. Reservation of right to amend or repeal chapter

The right to repeal, alter, or amend this chapter at any time is expressly reserved.

(May 28, 1936, ch. 471, § 10, 49 Stat. 1391.)

CHAPTER 8—AMERICAN BATTLE MONUMENTS COMMISSION

Sec.
121. American Battle Monuments Commission; appointment; secretary; terms of office; vacancies; expenses; designation of Armed Forces personnel to assist.
121a. Omitted.
121b. Station allowance for Army officers serving on Commission.
122. Expenses of officers of Armed Forces serving on Commission.
122a. Reimbursement of agencies for salary, pay, and allowances of assigned personnel.

Sec.
122b. Military cemeteries in foreign countries; determination as permanent cemeteries; selection of new sites; design and construction; maintenance; construction by Armed Forces; burials and reburials; re-entry.
123. Powers and duties as to memorials.
124. Approval of designs for memorials.
125. Erection of war memorials.
  (a) Cooperation with States, etc.
  (b) Control, administration, and maintenance of war memorials by the Commission.
  (c) Demolition of war memorials erected on foreign soils and other functions of the Commission.
  (d) Definition.
125a. Erection of works in National Memorial Cemetery of the Pacific; reimbursement.
126. Repealed.
127. Arrangements with foreign countries.
128. Funds received from States, municipalities, or private sources.
129, 130. Repealed.
131. Statements to President.
132. Transfer of administrative functions, supplies, materials and equipment to Commission; maintenance of cemeteries located in foreign countries.
133 to 135. Omitted.
135a. Repealed.
136. Seal of Commission; judicial notice.
137. Disposition of land in foreign countries.
138. Records and archives.
138a. Authorization of appropriations.
138b. Acquisition and disposition of land in foreign countries; operation of vehicles; establishment of offices; printing authority; contract power; effective date; delegation of authority; claims against Commission.

§ 121. American Battle Monuments Commission; appointment; secretary; terms of office; vacancies; expenses; designation of Armed Forces personnel to assist

The Commission, known as the American Battle Monuments Commission (referred to in sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title as the Commission), shall consist of not more than eleven members who shall be appointed by the President, who shall also appoint one officer of the Regular Army to serve as its secretary. The members and secretary shall serve at the pleasure of the President who shall fill any vacancies that from time to time occur. Notwithstanding any other provision of law, commissioned officers of the armed forces of the United States may be appointed members of the Commission.

The members of the Commission shall serve as such without compensation, except that (1) their actual expenses in connection with the work of the Commission, (2) when in a travel status outside the continental United States, a per diem at the same rate prescribed for members of the uniformed services under section 405 of Title 37, in lieu of subsistence, and (3) when in a travel status within the continental United States, a per diem at the same rate authorized to be paid under sections 5702 and 5703 of Title 5, in lieu of subsistence, may be paid to such members from any funds appropriated for the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title, or acquired by other means hereinafter authorized.

Upon the request of the Commission, the heads of the Federal departments or agencies are authorized to designate such personnel, and to make available to the Commission such facilities, of their respective departments or agencies, or of the Army, Navy, Air Force, or Marine Corps, as the case may be, as may be necessary to assist in carrying out the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title, and may expend for such purposes any funds appropriated to such departments, agencies, and services, with reimbursement from the Commission for the pay and allowances of the personnel so designated. The Commission is authorized to employ such further personnel as may be necessary to carry out the purposes of such sections, within the limits of any appropriation or appropriations made for such purposes.

The provisions of this subsection shall take effect on the first day of the first calendar month following the date of enactment of this Act.

(Mar. 4, 1923, ch. 283, § 1, 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, § 1, 70 Stat. 640; Oct. 21, 1970, Pub. L. 91-480, 84 Stat. 1081; Apr. 1, 1976, Pub. L. 94-256, 90 Stat. 301.)

REFERENCES IN TEXT

This subsection, referred to in the text, probably refers to the second and third undesignated paragraphs of this section as amended by act July 25, 1956.

The date of enactment of this Act, referred to in text, probably means the date of enactment of act July 25, 1956, which was approved July 25, 1956.

AMENDMENTS

1976—Pub. L. 94-256 substituted provisions authorizing the members of the Commission to receive a per diem at the same rate prescribed under section 405 of Title 37, when in a travel status outside the continental United States, and a per diem at the same rate authorized to be paid under sections 5702 and 5703 of Title 5 when in travel status within the continental United States, for provisions authorizing a per diem of $40 in lieu of subsistence when in travel status outside the continental United States, and a per diem at the same rate authorized to be paid under section 5703(c)(1) when in travel status within the continental United States.

1970—Pub. L. 91-480 substituted provisions authorizing members of the Commission to receive a per diem of $40 in lieu of subsistence when in a travel status outside the continental United States, and a per diem at the same rate authorized to be paid under section 5703(c)(1) of Title 5 when in a travel status within the continental United States, for provisions authorizing a per diem of $20 in lieu of subsistence when in a travel status.

1956—Act July 25, 1956, authorized payment of a per diem in lieu of subsistence, made the facilities of Federal departments or agencies available to the Commission, included personnel and facilities of the Air Force, and permitted expenditure of funds appropriated to Federal departments or agencies with reimbursement from the Commission.

1946—Act June 26, 1946, increased the number of Commission members from seven to eleven.

APPROPRIATIONS

Section 11 of act Mar. 4, 1923, authorized appropriations to effectuate original provisions of act Mar. 4, 1923, which were classified to sections 121 and 123 to 132 of this title.

Section Referred to in Other Sections

This section is referred to in sections 125, 127, 128, 138a, 138b of this title.

§ 121a. Omitted

Codification

Section, act Mar. 28, 1946, ch. 113, title I, § 101, 60 Stat. 60, which authorized the Commission to delegate to its chairman, secretary, or officials in charge of either the Washington or Paris offices such of its authority as it deemed necessary and proper, was from the Independent Offices Appropriation Act, 1947, and was omitted from the Code since it was not repeated in subsequent appropriation acts.

§ 121b. Station allowance for Army officers serving on Commission

Where station allowance has been authorized by the Department of the Army for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the Armed Forces assigned to the Commission while serving at the same foreign stations.

(Pub. L. 94-378, title II, § 201, Aug. 9, 1976, 90 Stat. 1098.)

Similar Provisions

Section is from the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1977. Similar provisions were contained in the following appropriation acts:

Oct. 17, 1975, Pub. L. 94-116, title II, § 201, 89 Stat. 587.

Sept. 6, 1974, Pub. L. 93-414, title II, § 201, 88 Stat. 1099.

Nov. 27, 1973, Pub. L. 93-162, title V, § 501, 87 Stat. 653.

Oct. 25, 1972, Pub. L. 92-544, title V, § 501, 86 Stat. 1128.

Aug. 10, 1971, Pub. L. 92-77, title V, § 501, 85 Stat. 264.

Oct. 21, 1970, Pub. L. 91-472, title V, § 501, 84 Stat. 1058.

Dec. 24, 1969, Pub. L. 91-153, title V, § 501, 83 Stat. 421.

Aug. 9, 1968, Pub. L. 90-470, title V, § 501, 82 Stat. 686.

Nov. 8, 1967, Pub. L. 90-133, title V, § 501, 81 Stat. 429.

Nov. 8, 1966, Pub. L. 89-797, title V, § 501, 80 Stat. 1501.

Sept. 2, 1965, Pub. L. 89-164, title V, § 501, 79 Stat. 639.

Aug. 31, 1964, Pub. L. 88-527, title V, § 501, 78 Stat. 731.

Dec. 30, 1963, Pub. L. 88-245, title V, § 501, 77 Stat. 796.

Oct. 18, 1962, Pub. L. 87-843, title V, § 501, 76 Stat. 1100.

Aug. 3, 1961, Pub. L. 87-125, title IV, § 401, 75 Stat. 279.

July 12, 1960, Pub. L. 86-642, title I, § 101, 74 Stat. 475.

July 8, 1959, Pub. L. 86-79, title I, § 101, 73 Stat. 164.

June 25, 1958, Pub. L. 85-468, title I, § 101, 72 Stat. 223.

June 5, 1957, Pub. L. 85-48, title I, § 101, 71 Stat. 52.

June 13, 1956, ch. 385, title I, § 101, 70 Stat. 278.

June 29, 1955, ch. 226, title I, § 101, 69 Stat. 194.

June 24, 1954, ch. 359, title I, § 101, 68 Stat. 274.

July 31, 1953, ch. 302, title I, § 101, 67 Stat. 299.

July 5, 1952, ch. 578, title I, § 101, 66 Stat. 395.

Cross References

Travel and transportation allowances to officers of the Army, see section 401 et seq. of Title 37, Pay and Allowances of the Uniformed Services.

§ 122. Expenses of officers of Armed Forces serving on Commission

When traveling on business of the Commission, officers of the armed forces serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission.

(Pub. L. 94-378, title II, § 201, Aug. 9, 1976, 90 Stat. 1099.)

Similar Provisions

Section is from the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1977. Similar provisions were contained in the following appropriation acts:

Oct. 17, 1975, Pub. L. 94-116, title II, § 201, 89 Stat. 587.

Sept. 6, 1974, Pub. L. 93-414, title II, § 201, 88 Stat. 1099.

Nov. 27, 1973, Pub. L. 93-162, title V, § 501, 87 Stat. 653.

Oct. 25, 1972, Pub. L. 92-544, title V, § 501, 86 Stat. 1128.

Aug. 10, 1971, Pub. L. 92-77, title V, § 501, 85 Stat. 264.

Oct. 21, 1970, Pub. L. 91-472, title V, § 501, 84 Stat. 1058.

Dec. 24, 1969, Pub. L. 91-153, title V, § 501, 83 Stat. 421.

Aug. 9, 1968, Pub. L. 90-470, title V, § 501, 82 Stat. 686.

Nov. 8, 1967, Pub. L. 90-133, title V, § 501, 81 Stat. 429.

Nov. 8, 1966, Pub. L. 89-797, title V, § 501, 80 Stat. 1501.

Sept. 2, 1965, Pub. L. 89-164, title V, § 501, 79 Stat. 639.

Aug. 31, 1964, Pub. L. 88-527, title V, § 501, 78 Stat. 731.

Dec. 30, 1963, Pub. L. 88-245, title V, § 501, 77 Stat. 796.

Oct. 18, 1962, Pub. L. 87-843, title V, § 501, 76 Stat. 1100.

Aug. 3, 1961, Pub. L. 87-125, title IV, § 401, 75 Stat. 279.

July 12, 1960, Pub. L. 86-642, title I, § 101, 74 Stat. 475.

July 8, 1959, Pub. L. 86-79, title I, § 101, 73 Stat. 164.

June 25, 1958, Pub. L. 85-468, title I, § 101, 72 Stat. 223.

June 5, 1957, Pub. L. 85-48, title I, § 101, 71 Stat. 52.

June 13, 1956, ch. 385, title I, § 101, 70 Stat. 279.

June 29, 1955, ch. 226, title I, § 101, 69 Stat. 194.

June 24, 1954, ch. 359, title I, § 101, 68 Stat. 274.

July 1, 1953, ch. 302, title I, § 101, 67 Stat. 299.

July 5, 1952, ch. 578, title I, § 101, 66 Stat. 395.

Aug. 31, 1951, ch. 376, title I, § 101, 65 Stat. 269.

Sept. 6, 1950, ch. 896, ch. VIII, title I, § 101, 64 Stat. 699.

Aug. 24, 1949, ch. 506, title I, § 101, 63 Stat. 633.

Apr. 20, 1948, ch. 219, title I, § 101, 62 Stat. 179.

May 3, 1945, ch. 106, title I, § 101, 59 Stat. 107.

June 27, 1944, ch. 286, title I, § 101, 58 Stat. 363.

June 26, 1943, ch. 145, title I, § 101, 57 Stat. 171.

June 27, 1942, ch. 450, § 1, 56 Stat. 395.

Apr. 5, 1941, ch. 40, § 1, 55 Stat. 95.

Apr. 18, 1940, ch. 107, § 1, 54 Stat. 113.

Mar. 16, 1939, ch. 11, § 1, 53 Stat. 525.

May 23, 1938, ch. 259, § 1, 52 Stat. 412.

June 28, 1937, ch. 396, § 1, 50 Stat. 331.

Mar. 19, 1936, ch. 156, § 1, 49 Stat. 1169.

Feb. 2, 1935, ch. 3, § 1, 49 Stat. 7.

June 16, 1933, ch. 101, § 1, 48 Stat. 285.

June 30, 1932, ch. 330, § 1, 47 Stat. 454.

Feb. 23, 1931, ch. 281, § 1, 46 Stat. 1356.
Apr. 19, 1930, ch. 201, § 1, 46 Stat. 231.
Feb. 20, 1929, ch. 270, § 1, 45 Stat. 1232.
May 16, 1928, ch. 580, § 1, 45 Stat. 575.
Feb. 11, 1927, ch. 104, 44 Stat. 1071.
Apr. 22, 1926, ch. 171, § 1, 44 Stat. 307.
June 7, 1924, ch. 292, § 1, 43 Stat. 522.
Apr. 2, 1924, ch. 81, § 1, 43 Stat. 35.

§ 122a. Reimbursement of agencies for salary, pay, and allowances of assigned personnel

The Commission shall reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it.

(Pub. L. 94–378, title II, § 201, Aug. 9, 1976, 90 Stat. 1099.)

Similar Provisions

Section is from the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1977. Similar provisions were contained in the following appropriation acts:

Oct. 17, 1975, Pub. L. 94–116, title II, § 201, 89 Stat. 587.
Sept. 6, 1974, Pub. L. 93–414, title II, § 201, 88 Stat. 1099.
Nov. 27, 1973, Pub. L. 93–162, title V, § 501, 87 Stat. 653.
Oct. 25, 1972, Pub. L. 92–544, title V, § 501, 86 Stat. 1128.
Aug. 10, 1971, Pub. L. 92–77, title V, § 501, 85 Stat. 264.
Oct. 21, 1970, Pub. L. 91–472, title V, § 501, 84 Stat. 1058.
Dec. 24, 1969, Pub. L. 91–153, title V, § 501, 83 Stat. 421.
Aug. 9, 1968, Pub. L. 90–470, title V, § 501, 82 Stat. 686.
Nov. 8, 1967, Pub. L. 90–133, title V, § 501, 81 Stat. 429.
Nov. 8, 1966, Pub. L. 89–797, title V, § 501, 80 Stat. 1501.
Sept. 2, 1965, Pub. L. 89–164, title V, § 501, 79 Stat. 639.
Aug. 31, 1964, Pub. L. 88–527, title V, § 501, 78 Stat. 731.
Dec. 30, 1963, Pub. L. 88–245, title V, § 501, 77 Stat. 796.
Oct. 18, 1962, Pub. L. 87–843, title V, § 501, 76 Stat. 1100.
Aug. 3, 1961, Pub. L. 87–125, title IV, § 401, 75 Stat. 279.
July 12, 1960, Pub. L. 86–642, title I, § 101, 74 Stat. 475.
July 8, 1959, Pub. L. 86–79, title I, § 101, 73 Stat. 164.
June 25, 1958, Pub. L. 85–468, title I, § 101, 72 Stat. 223.
June 5, 1957, Pub. L. 85–48, title I, § 101, 71 Stat. 52.
June 13, 1956, ch. 385, title I, § 101, 70 Stat. 279.
June 29, 1955, ch. 226, title I, § 101, 69 Stat. 194.
June 24, 1954, ch. 359, title I, § 101, 68 Stat. 274.

§ 122b. Military cemeteries in foreign countries; determination as permanent cemeteries; selection of new sites; design and construction; maintenance; construction by Armed Forces; burials and reburials; re-entry

When, as a result of combat operations, the Armed Forces shall establish military cemeteries in zones of operations outside the United States and its Territories and possessions, the Commission and the Secretary of the Army immediately upon the cessation of hostilities, shall determine which of the cemeteries so established, if any, shall become permanent cemeteries or, as they may deem desirable, select new sites at any other location for such cemeteries. The Commission shall be solely responsible for the design and construction of such permanent cemeteries, and of all buildings, plantings, headstones, and other permanent improvements incidental thereto except that (1) the Armed Forces shall be responsible for the maintenance of such permanent cemeteries until such time as the Commission shall express its readiness to assume the functions of administration hereinafter authorized, (2) all construction undertaken by the Armed Forces in establishing and maintaining the cemetery prior to its transfer to the Commission shall be nonpermanent in nature, (3) burials and reburials therein by the Armed Forces shall be carried out in accordance with plans prepared by the Commission, (4) the Armed Forces shall have the right to re-enter any cemeteries transferred to the Commission for the purpose of making exhumations or reinterments should they deem any such action to be necessary.

(Mar. 4, 1923, ch. 283, § 2, as added July 25, 1956, ch. 721, § 3(a), 70 Stat. 640.)

Section Referred to in Other Sections

This section is referred to in sections 121, 125, 127, 128, 138a, 138b of this title.

§ 123. Powers and duties as to memorials

The Commission shall prepare plans and estimates for the erection of suitable memorials to commemorate the services of the American Armed Forces, and shall erect and maintain memorials in the United States and at such places outside the United States where the American Armed Forces have served since April 6, 1917, or shall hereafter serve, as the Commission shall determine. The Commission shall also erect and maintain works of architecture and art in such American cemeteries located outside of the United States, its Territories, and possessions, as have been or may hereafter be declared to be permanent cemeteries. Works of architecture and art erected by the Commission in cemeteries within the United States, its Territories and possessions, shall be maintained by the Department of Defense.

The Commission shall control as to materials and design and provide regulations for, and supervise the erection of, all memorial monuments and buildings in American cemeteries located outside the United States, its Territories, and possessions.

The Commission shall control as to design and provide regulations for the erection of all memorial monuments and buildings commemorating the services of the American Armed Forces erected in any foreign country or political division thereof which may authorize the Commission to perform such functions.

(Mar. 4, 1923, ch. 283, § 3, formerly § 2, 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317, renumbered and amended July 25, 1956, ch. 721, §§ 2(b), 3(b), 70 Stat. 640, 641.)

Amendments

1956—Act July 25, 1956, redesignated section 2 of act Mar. 4, 1923, as section 3 of that act, and, in that section, required maintenance of works of architecture and art by the Department of Defense and eliminated provisions which gave the Commission control over memorial monuments and buildings upon federally owned or controlled property in the United States or in its Territories and possessions, except national cemeteries.

1946—Act June 26, 1946, extended the authority and field of operations of the Commission to cover all battlefields and cemeteries throughout the world.

TRANSFER OF FUNCTIONS

The functions of the War Department [now Department of the Army] pertaining to national cemeteries and memorials located in foreign countries were transferred to the American Battle Monuments Commission by Ex. Ord. No. 6614, Feb. 26, 1934.

Transfer of administration of national monuments to National Park Service, see Ex. Ord. No. 6166, § 2, June 10, 1933, set out as a note under section 901 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Ex. Ord. No. 6690, set out at end of Ex. Ord. No. 6614, provided that Ex. Ord. 6614 should become effective May 21, 1934.

SURRENDER TREE SITE IN SANTIAGO, CUBA

Pub. L. 85-125, Aug. 13, 1957, 71 Stat. 344, provided: "That the American Battle Monuments Commission is responsible for the care and maintenance of the Surrender Tree site in Santiago, Cuba. This Act takes effect on the next July 1, after the date of its enactment [Aug. 13, 1957]."

CROSS REFERENCES

National and international monuments and memorials generally, see section 431 et seq. of Title 16, Conservation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 122b, 125, 127, 128, 138a, 138b of this title.

§ 124. Approval of designs for memorials

Before any design for any memorial is accepted by the Commission, it shall be approved by the National Commission of Fine Arts.

(Mar. 4, 1923, ch. 283, § 4, formerly § 3, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, renumbered and amended July 25, 1956, ch. 721, §§ 2(b), 3(c), 70 Stat. 640, 641.)

AMENDMENTS

1956—Act July 25, 1956, redesignated section 3 of act Mar. 4, 1923, as section 4 of that act, and eliminated provisions of that section which required prior approval of materials for memorials.

1946—Act June 26, 1946, reenacted section in toto.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 128, 138a, 1381e of this title.

§ 125. Erection of war memorials

(a) Cooperation with States, etc.

The Commission is authorized to cooperate with American citizens, States, municipalities, or associations desiring to erect war memorials outside the continental limits of the United States in such manner as may be determined by the Commission: *Provided,* That no assistance in erecting any such memorial shall be given by any administrative agency of the United States unless the plan has been approved in accordance with the provisions of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title.

(b) Control, administration, and maintenance of war memorials by the Commission

(1) The Commission is authorized, in its discretion, to assume responsibility for the control, administration, and maintenance of any war memorial erected before, on, or after the effective date of this subsection outside the United States by an American citizen, a State, a political subdivision of a State, any other non-Federal governmental agency, foreign agency, or private association to commemorate the services of any of the American Armed Forces in hostilities occurring since April 6, 1917, if (A) the memorial is not erected on the territory of the former enemy concerned, and (B) the sponsors of the memorial consent to the Commission assuming such responsibilities and transfer to the Commission all their right, title, and interest in the memorial. If reasonable effort fails to locate the sponsors of a memorial, the Commission may assume responsibility therefor under this subsection by agreement with the appropriate foreign authorities. A decision of the Commission to assume responsibility for any war memorial under this subsection is final.

(2) Any funds accumulated by the sponsors for the maintenance and repair of a war memorial for which the Commission assumes responsibility under this subsection may be transferred to the Commission for use in carrying out the purpose of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title. Any such funds so transferred shall be deposited by the Commission in the manner provided for in section 128 of this title.

(c) Demolition of war memorials erected on foreign soils and other functions of the Commission

The Commission is authorized to take necessary measures to demolish any war memorial erected on foreign soil by an American citizen, a State, a political subdivision of a State, any other non-Federal governmental agency, foreign agency, or private association and to dispose of the site of such memorial in such manner as it deems proper, if—

(1) the appropriate foreign authorities agree to such demolition; and

(2) the sponsors of the memorial consent to such demolition; or

(3) the memorial has fallen into disrepair and a reasonable effort on the part of the Commission has failed—

(A) to persuade the sponsors to maintain the memorial at a standard acceptable to the Commission, or

(B) to locate the sponsors.

(d) Definition

As used in this section, the term "sponsors" includes the legal successors to the sponsor.

(Mar. 4, 1923, ch. 283, § 5, formerly § 4, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, renumbered July 25, 1956, ch. 721, § 2(b), 70 Stat. 640, and amended Jan. 2, 1974, Pub. L. 93-244, 87 Stat. 1070.)

REFERENCES IN TEXT

The effective date of this subsection, referred to in subsec. (b)(1), means the effective date of Pub. L. 93-244, which was approved on Jan. 2, 1974.

Amendments

1974—Pub. L. 93-244 designated existing provisions as subsec. (a) and added subsecs. (b) to (d).

1956—Act July 25, 1956, redesignated section 4 of act Mar. 4, 1923, as section 5 of that act.

1946—Act of June 26, 1946, amended section generally. Former provisions of this section are now covered by section 127 of this title.

Section Referred to in Other Sections

This section is referred to in sections 121, 127, 128, 138a, 138b of this title.

§ 125a. Erection of works in National Memorial Cemetery of the Pacific; reimbursement

The Commission is authorized to erect such works of architecture and art in the National Memorial Cemetery of the Pacific as may be determined by the Commission with the consent of the Secretary of the Army: *Provided*, That the Commission may reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it.

(June 24, 1954, ch. 359, title I, § 101, 68 Stat. 275.)

Codification

Section was not repeated in any subsequent appropriation act, which made appropriations for the American Battle Monuments Commission.

§ 126. Repealed. July 25, 1956, ch. 721, § 2(a), 70 Stat. 640

Section, acts Mar. 4, 1923, ch. 283, § 5, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, required the Commission to advise the Secretary of the Army of the location and date of completion of each memorial erected by it.

§ 127. Arrangements with foreign countries

The President is requested to make the necessary arrangements with the proper authorities of the countries concerned to enable the Commission to carry out the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title.

(Mar. 4, 1923, ch. 283, § 6, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317.)

Amendments

1946—Act June 26, 1946, amended section generally.

Section Referred to in Other Sections

This section is referred to in sections 121, 125, 128, 138a, 138b of this title.

§ 128. Funds received from States, municipalities, or private sources

The Commission is authorized to receive funds from any State, municipal, or private source for the purpose of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title, and such funds shall be deposited by the Commission with the Treasurer of the United States and shall be kept by him in separate accounts and shall be disbursed upon vouchers approved by the Chairman of the Commission.

(Mar. 4, 1923, ch. 283, § 7, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317.)

Amendments

1946—Act June 26, 1946, amended section generally.

Section Referred to in Other Sections

This section is referred to in sections 121, 125, 127, 138a, 138b of this title.

§§ 129, 130. Repealed. July 25, 1956, ch. 721, § 2(a), 70 Stat. 640

Section 129, acts Mar. 4, 1923, ch. 283, § 8, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, authorized the preparation of memorials at arsenals or navy yards and permitted the use of captured war material.

Section 130, acts Mar. 4, 1923, ch. 283, § 9, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, authorized the Commission to furnish replicas of any memorial, or part thereof.

§ 131. Statements to President

The Commission shall transmit to the President of the United States annually on the 1st of October a statement of all its financial and other transactions during the preceding fiscal year.

(Mar. 4, 1923, ch. 283, § 8, formerly § 10, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, renumbered July 25, 1956, ch. 721, § 2(c), 70 Stat. 640, and amended Apr. 21, 1976, Pub. L. 94-273, § 3(19), 90 Stat. 377.)

Amendments

1976—Pub. L. 94-273 substituted "October" for "July".

1946—Act June 26, 1946 reenacted section without change.

Section Referred to in Other Sections

This section is referred to in sections 121, 125, 127, 128, 138a, 138b of this title.

§ 132. Transfer of administrative functions, supplies, materials and equipment to Commission; maintenance of cemeteries located in foreign countries

The President may by Executive order transfer to the Commission, with respect to any permanent military cemeteries located outside of the United States, its Territories and possessions, the same functions of administration which were transferred to the Commission by Executive Order 6614, dated February 26, 1934, and Executive Order 10057, dated May 14, 1949, as amended by Executive Order 10087, dated December 3, 1949, together with any supplies, materials and equipment located therein or in military depots overseas which are excess to the needs of the Department of Defense and are requested by the Commission for the performance of such functions. Thereafter the Commission shall be responsible for the maintenance of such cemetery and of all improvements therein.

(Mar. 4, 1923, ch. 283, § 10, formerly § 12, 42 Stat. 1570; June 26, 1946, ch. 502, 60 Stat. 317, renumbered and amended July 25, 1956, ch. 721, §§ 2(c), 4(b), 70 Stat. 640, 641.)

References in Text

Executive Order 10057, dated May 14, 1949, as amended by Executive Order 10087, dated Dec. 3, 1949, referred to in the text, is set out below.

AMENDMENTS

1956—Act July 25, 1956, redesignated section 12 of act Mar. 4, 1923, as section 10 of that act, and, in that section, substituted "permanent military cemeteries" for "national cemeteries", included Executive Orders 10057 and 10087, authorized transfer of supplies, materials and equipment, and inserted provisions making the Commission responsible for the maintenance of such cemeteries and improvements therein.

1946—Act June 26, 1946 amended section generally. Former provisions of this section are now covered by section 138 of this title.

EX. ORD. NO. 9873. ADMINISTRATION OF THE MEXICO CITY NATIONAL CEMETERY

Ex. Ord. No. 9873, July 16, 1947, 12 F.R. 4777, provided:

By virtue of the authority vested in me by section 12 of the act of March 4, 1923, as amended by the act of June 26, 1946, 60 Stat. 318 [this section], and as President of the United States, it is hereby ordered as follows:

1. All functions of administration pertaining to the Mexico City National Cemetery, located in Mexico City, Calazada, Molchor, Ocampo 31, Mexico, DF, now vested in or exercised by the War Department, together with the field civilian personnel, records, supplies, equipment, and property of every kind pertaining thereto, are hereby transferred from the War Department to the American Battle Monuments Commission.

2. The unexpended balances of appropriations or allotments of appropriations which are now, or may become, available to the War Department for the performance of the functions transferred by this order shall be transferred to the American Battle Monuments Commission to such extent as the Director of the Bureau of the Budget may deem necessary.

EX. ORD. NO. 10057. TRANSFER OF CERTAIN FUNCTIONS PERTAINING TO UNITED STATES MILITARY CEMETERIES

Ex. Ord. No. 10057, May 14, 1949, 14 F.R. 2585, as amended Ex. Ord. 10087, Dec. 3, 1949, 14 F.R. 7287, provided:

By virtue of the authority vested in me by section 12 of the act of March 4, 1923, 42 Stat. 1509, as amended by the act of June 26, 1946, 60 Stat. 318 [this section], and as President of the United States, it is hereby ordered as follows:

1. All functions of administration pertaining to World War II United States Military Cemeteries located in or near Cambridge, England; Margraten, the Netherlands; Hamm, Luxembourg; Henri-Chapelle, Belgium; Neuvilleen-Condroz, Belgium; St. Laurent, France; St. James, France; Epinal, France; St. Avold, France; Draguignan, France; Nettuno (Anzio), Italy; Florence, Italy; Tunis (Carthage), Tunisia; and Ft. McKinley, Philippine Islands, now vested in or exercised by the Secretary of the Army pursuant to the act of May 16, 1946, c. 261, 60 Stat. 182, as amended by the act of August 5, 1947, c. 497, 61 Stat. 779, together with (a) such supplies, equipment, temporary structures, utilities and facilities pertaining thereto as are located therein or are in depots or other places overseas under the jurisdiction of the American Graves Registration Service and are determined by the American Battle Monuments Commission to be required for the discharge of its responsibilities under this order, and (b) the cemetery records currently maintained for the operation of such cemeteries, including records pertinent to the acquisition of real estate upon which the cemeteries and their appurtenances are situated, are hereby transferred to the American Battle Monuments Commission; such transfer to become effective as to any particular cemetery or group of cemeteries upon the completion of the operational mission of the Department of the Army with respect to such cemetery or group of cemeteries, but in no instance later than December 31, 1951, or at such earlier date as may be determined by the President or the Congress pursuant to the said act of May 16, 1946, as amended by the act of August 5, 1947.

2. The Department of the Army shall have the right to re-enter any of such cemeteries subsequent to the effective date of the transfer of functions with respect thereto for the purpose of making exhumations or reinterments should any such action become necessary.

3. There shall be transferred to the American Battle Monuments Commission so much of the unexpended balances of appropriations now, or which may become, available to the Department of the Army for the performance of the functions transferred by the provisions of this order as the Director of the Bureau of the Budget may deem necessary for use prior to July 1, 1950, in connection with such functions.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 128, 138a, 138b of this title.

§§ 133 to 135. Omitted

CODIFICATION

Section 133, acts Apr. 2, 1924, ch. 81, § 1, 43 Stat. 35; June 7, 1924, ch. 292, 43 Stat. 522; Apr. 22, 1926, ch. 171, § 1, 44 Stat. 307; Feb. 11, 1927, ch. 104, § 1, 44 Stat. 1071, provided for disbursements outside of continental United States, and has not been repeated in subsequent appropriation acts.

Section 134, acts Apr. 22, 1926, ch. 171, § 1, 44 Stat. 307; Feb. 11, 1927, ch. 104, § 1, 44 Stat. 1071; May 16, 1928, ch. 580, § 1, 45 Stat. 575; Feb. 20, 1929, ch. 270, § 1, 45 Stat. 1231; Apr. 19, 1930, ch. 201, § 1, 46 Stat. 230; Feb. 23, 1931, ch. 281, § 1, 46 Stat. 1356; June 30, 1932, ch. 330, § 1, 47 Stat. 454; June 16, 1933, ch. 101, § 1, 48 Stat. 285, authorized the Commission to incur certain obligations, and has not been repeated in subsequent appropriation acts.

Section 135, act Mar. 28, 1946, ch. 113, title I, § 101, 60 Stat. 60, related to power to contract for work in Europe, etc., and has not been repeated in subsequent appropriation acts. Similar provisions are now contained in section 138b of this title.

§ 135a. Repealed. Oct. 10, 1940, ch. 851, § 4, 54 Stat. 1111

Section, acts June 28, 1937, ch. 396, § 1, 50 Stat. 331; May 23, 1938, ch. 259, § 1, 52 Stat. 412; Mar. 16, 1939, ch. 11, § 1, 53 Stat. 525; Apr. 18, 1940, ch. 107, § 1, 54 Stat. 113, related to purchase of supplies in minimum quantity without restrictions.

§ 136. Seal of Commission; judicial notice

The commission shall have a seal, which shall be judicially noticed.

(Feb. 11, 1927, ch. 104, § 1, 44 Stat. 1071.)

§ 137. Disposition of land in foreign countries

The commission may, under such terms and conditions and in such manner as the commission may in its discretion deem necessary and proper dispose of any land or interest in land in foreign countries which has been or may hereafter be acquired by the commission in connection with its work.

(Feb. 11, 1927, ch. 104, § 1, 44 Stat. 1071.)

CODIFICATION

Provisions of this section were to be superseded by the third paragraph of section 138b of this title upon the expiration of the Surplus Property Act of 1944. See References in Text note under section 138b of this title.

§ 138. Records and archives.

The records and archives of the Commission, shall, when no longer required by the Commission, be deposited with the National Archives in accordance with the provisions of section 2103 of title 44.

(Mar. 4, 1923, ch. 283, § 9, formerly § 11, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, renumbered and amended July 25, 1956, ch. 721, §§ 2(c), 4(a), 70 Stat. 640, 641.)

CODIFICATION

"Section 2103 of title 44" was substituted for "the Federal Records Act of 1950 (44 U.S.C. 397)" on authority of section 2(b) of Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1305, section 1 of which enacted Title 44, Public Printing and Documents.

AMENDMENTS

1956—Act July 25, 1956, redesignated section 11 of act Mar. 4, 1923, as section 9 of that act, substituted "when no longer required by the Commission" for "upon the termination of its duties" and required deposit of records and archives in accordance with the provisions of the Federal Records Act of 1950 (44 U.S.C. 397).

1946—Act June 26, 1946, amended section generally. Former provisions of this section are now covered by section 138a of this title.

TRANSFER OF FUNCTIONS

The National Archives Establishment was transferred to the General Services Administration by act June 30, 1949, ch. 288, title I, § 104(a), 63 Stat. 381. On Dec. 11, 1949, the National Archives and Records Service, under the direction of the Archivist of the United States, was established by the Administrator of General Services to succeed the National Archives Establishment.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions as effective July 1, 1949, see section 605 of act June 30, 1949, set out as an Effective Date note under section 471 of Title 40, Public Buildings, Property, and Works.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 128, 138a, 138b of this title.

§ 138a. Appropriations

Such sum or sums as Congress may after June 26, 1946, appropriate for the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title are authorized to be appropriated.

(Mar. 4, 1923, ch. 283, § 11, formerly § 13, as added June 26, 1946, ch. 502, 60 Stat. 317, and renumbered July 25, 1956, ch. 721, § 2(c), 70 Stat. 640.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 128, 138b of this title.

§ 138b. Acquisition and disposition of land in foreign countries; operation of vehicles; establishment of offices; printing authority; contract power; effective date; delegation of authority; claims against Commission

Within the limits of any appropriation or appropriations made for the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title, the Commission is authorized (1) to acquire land or interest in land in foreign countries for carrying out the purposes of said sections or of any Executive order conferring functions upon the Commission without submission to the Attorney General of the United States under the provisions of section 255 of title 40; (2) to maintain, repair, and operate motor-propelled passenger-carrying vehicles and other property, which may be furnished to the Commission by other departments of the Government; (3) to establish offices in the District of Columbia and elsewhere in or outside of the United States; (4) to rent office and garage space in foreign countries which may be paid for in advance; (5) to procure printing, binding, engraving, lithographing, photographing, and typewriting, including the publication of information concerning the American activities, battlefields, memorials, and cemeteries with respect to which it may exercise any functions.

Notwithstanding the requirements of existing laws or regulations, under such terms and conditions as the Commission may in its discretion deem necessary and proper, the Commission may contract for work, supplies, materials, and equipment outside or for use outside of the United States and engage, by contract or otherwise, the services of architects, firms of architects, and other technical and professional personnel.

The Commission may under such terms and conditions and in such manner as it may deem proper dispose of any land or interest in land in foreign countries which has been or may after June 26, 1946, be acquired by the Commission in connection with its work: *Provided*, That this subsection shall not be effective until the expiration of the Surplus Property Act of 1944.

Claims of the type described in section 2734 of title 10, on account of damage to or loss or destruction of property both real and personal, or personal injury or death of any person, arising on or after July 25, 1956 and caused by the negligent or wrongful act or omission of any officer or civilian employee of the Commission while acting within the scope of his office or employment, may be considered, ascertained, adjusted, determined, and paid in the manner provided in section 2734 of title 10 for the settlement of Army claims, except that in such cases one or more officers or employees of the Commission may be appointed by the Secretary of the Army to a claims commission or commissions or as officers to approve settlements of claims made by such commission or commissions, and all payments in settlement of such claims shall be made out of appropriations made for the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title.

The Commission may delegate to its Chairman, secretary, or officials in charge of any of its offices, under such terms and conditions as it may prescribe, such of its authority as it may deem necessary and proper.

(Mar. 4, 1923, ch. 283, § 12, formerly § 14, as added June 26, 1946, ch. 502, 60 Stat. 317, renumbered and amended July 25, 1956, ch. 721, §§ 2(c), 4(c), 70 Stat. 640, 641.)

REFERENCES IN TEXT

The expiration of the Surplus Property Act of 1944, referred to in the third paragraph, means the expiration of act Oct. 3, 1944, ch. 479, 58 Stat. 765, which was classified principally to sections 1611 to 1641 of Title 50, App., War and National Defense. The expiration of such act was to occur, pursuant to section 38 of such act, three years after cessation of hostilities of World War II. Cessation of hostilities was proclaimed on Dec. 31, 1946, by Proc. No. 2714, 12 F.R. 1, set out as a note preceding section 1 of Title 50, App. However, effective July 1, 1949, section 38 of act Oct. 3, 1944, along with substantially all of such act was repealed (except for sections 1622, 1631, 1637, and 1641 of Title 50, App.) by act June 30, 1949, ch. 288, title VI, § 602(a)(1), 63 Stat. 399, renumbered Sept. 5, 1950, ch. 849, § 6(a), (b), 64 Stat. 583. Sections 1622 and 1641 were partially repealed by the 1949 act, and section 1622 is still set out in part in Title 50 App. Section 1631 was repealed by act June 7, 1938, ch. 190, § 6(e), as added by act July 23, 1946, ch. 590, 60 Stat. 599, and is now covered by sections 98 et seq. of Title 50, War and National Defense. Section 1637 was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948, and is now covered by section 3287 of Title 18, Crimes and Criminal Procedure. Provisions of section 1641 not repealed by the 1949 act were repealed by Pub. L. 87-256, § 111(a)(1), Sept. 21, 1961, 75 Stat. 538, and are now covered by chapter 33 (§ 2451 et seq.) of Title 22, Foreign Relations and Intercourse. The provisions of the Surplus Property Act of 1944 originally repealed by the 1949 act are now covered by chapter 10 (§ 471 et seq.) of Title 40, Public Buildings, Property, and Works.

CODIFICATION

Section 255 of title 40, referred to in the first paragraph, is also set out as section 733 of Title 33, Navigation and Navigable Waters, and section 175 of Title 50, War and National Defense.

In the fourth paragraph, "section 2734 of title 10" was substituted for "the first section of the Act entitled 'An act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries', approved January 2, 1942 (55 Stat. 880, as amended; 31 U.S.C. 224d)" and "such Act", on authority of section 49(b) of act Aug. 10, 1956, ch. 1041, 70A Stat. 640, section 1 of which enacted Title 10, Armed Forces. The 1942 Act originally enacted sections 224d to 224i-1, and repealed section 223a, of Title 31, Money and Finance. Sections 224d, 224h, and 224i of Title 31 were repealed by the 1956 Act, and reenacted as section 2734 of Title 10, Armed Forces. Sections 224e, 224f, 224g, and 224i-1 of Title 31 were repealed by the 1956 Act as being unnecessary and executed.

AMENDMENTS

1956—Act July 25, 1956, redesignated section 14 of act Mar. 4, 1923, as section 12 of that act, and amended that section to permit the Commission to contract for work, supplies, materials, and equipment for use outside the United States, and to authorize the consideration, ascertainment, adjustment, determination, and payment of claims caused by the negligent or wrongful act or omission of any officer or civilian employee of the Commission.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 128, 138a of this title.

CHAPTER 8A—THE NATIONAL YEOMEN F

Sec.
139. Corporation created; purposes.
139a. Right to hold property; constitution, bylaws and seal.
139b. Deposit of historical material.

§ 139. Corporation created; purposes

Eva H. Clarke, Beatrice Brown Dwyer, and Mary J. O'Donnell, of Arizona;

Ruby Busse Anglim, Lottie Sessions Barrett, Philome Lucy Cavanagh, Stella Austen Clark, Pearl Bonham Clerk, Lillian Koeber Deamer, Harriet Jane Dodson, Alma Simmermacher Dreyer, Stella Neumann Elberson, Ola Belle Emmner, Edna Crumpler Estes, Mirian Mathews Everett, Katherine Driscoll Fallon, Kathleen Vance Hatch, Eva Wilson Hay, Ellen Keefe Heady, Ruth Hemphill, Myrtle Kinsey, Anna Geisler Kirkpatrick, Katherine Brown Lightner, Margaret Dannagger Lovelace, Lillian Catherine McCarthy, Gladys Farmer McCool, Laura Landes Metcalf, Louise Vickery Mowers, Ruth Manahan Neal, Gladys D. Nelson, Madeline O'Leary Peggs, Caroline Peirce, Sara Craddock Sasser, May Gesner Schaefer, Billie Browne Schank, Rita Beauton Schaub, Etienne V. Schier, Louise Williams Sears, Anne Williams Shumway, Florence Kelly Sparrow, Laura V. Waldron, Agnes L. Walker, Gladys Spalding Wheless, Evelyn Lyon Wiberg, and Muriel Andrews Zerangue, all of California;

Gladys Yeager Briggs, and Blanche Marion Curry, of Colorado;

Grace Pascoe Agard, Julie Sternberg Aichler, Mary Sweeney Alling, Sara Hinchey Barry, Anna Kilroy Bean, Kathleen Moriarity Begley, Anna Lyons Bergin, Ethel Cornet Bolles, Anna McDowell Brown, Mary MacKenzie Carson, Lucy Galvin Cavanaugh, Rose Reiger Chapman, Dorothy Sara Clifford, Monica Cecelia Clifford, Sadie Connelly, Marjory Murray Cormack, Martha Swirsky Cotton, Marion McEntee Cox, Ione Disco Cunningham, Katherine Lyng Donovan, Margaret Bess Dordelman, Marguerite Driscoll, Mae Sheehan Dwyer, Ruth Lawson Euster, Katherine Frances Fagan, Ethel Clendenen Fargo, Gertrude Selesnitzky Feinberg, Elisabeth Tagliabue Fields, Helen Buckley Fitzgerald, Irene Catherine Fitzgerald, Anna Campbell Forsythe, Anna J. Gaughan, Mary Penders Gillis, Mary Agnes Grady, Theresa Madeleine Hamill, Alice Mary Harrington, Florence Hulbert Hermanus, Ella Veronica Houlihan, Deborah Pickett Kane, Frances Walsh Keenan, Margaret O'Brien Kennedy, Hazel Merwin Lander, Elizabeth Mallon Leighton, Agnes Carlson Lukens, Catherine Gertrude MacKenzie, Clara Armstrong MacKenzie, Edna Murray Manchester, Mary Driscoll Markham, A. Regina Martin, Josephine McAuliffe Martin, Bellerose Meunier, Mazie Rogers Miller, Elsie Reichert Moon, Winnifred Patricia Nagle, Isabelle Dickson Peterson, Lucy Riley Pfannenstiel, Jewel Perkins Pitt, Eleanor Donahoe Reilly, Elizabeth Kepes Reynolds, Ida Reed Sanders, Alice Savage, Mildred Mabel Schwartz, Margaret Hogan Seaman, Ida Selesnitzky Stone, Agusta Strand, Caroline Wyllie Waterman, Juliana Augusta Weske, Helen Weinhusen, Louise Arnold Wiley, Selina Lee Winter, Margaret Hardiman Wrisley, Mary Connors Wundrack, and Marie Deering Yeager, all of Connecticut;

Norma M. Albers, Lucille Loveless Allan, Gladys Elizabeth Allen, Sarah Jarvis Andrus, Edith Ober Armstrong, Mary Hough Barber, May A. Barrett, Nettie Neitzey Beach, Mary Munday Becker, Esther Hall Beckett, Anne Curtin Belt, Charlotte Louise Berry, Jeannette L. Bishop, Alice Boland Bloomfield, Amelia Boberg, Beulah Holtzscheiter Bosworth, Jane M. Breen, Kate Knight Briggs, Eloise Broaddus, Helen Sprague Brown, Lola Carlisle Strailman Browning, Rose Flood Buice, Annette

Louise Burton, Gertrude Bange Butts, Mary Callen, Daisy House Campbell, Ella Echols Chambers, Emma S. Collie, Maude V. Cowan, Jane Regina Cox, Catherine Crowley, Reva S. Darrell, F. Pearl Delaplaine, Eleanor Marie Downey, Alice M. Downie, Cora Laughlin Drake, Anna Cecelia Dunn, Emma Schroder Dyer, Bessie London Faine, Elizabeth Waters Fallis, Anna Schultz Frame, Barbara Spence French, Agnes Monia Gallagher, Annie Ellen Gilson, Eleanor Mary Griffith, Mary Derouda Hall, Amy F. Hammond, Adelaide Ruth Harbers, Dorothy B. Harper, Carolyn Hardesty Herman, Nellie Grant Hinson, Mary E. Jones, Claire Keefe, Kathryn Gallagher Kendrick, Ann Kilmartin, Hope Knickerbocker, Louise Elender Koester, Mary Beall Kolhos, Helen Lucinda Leonard, Edith Kite Lewis, Mary Dove Loughrey, Marie B. Luebkert, Lillian Allen Brubaker Luther, Helen Horigan Maisel, Laura Garcia Martin, Louise Greenwald Matthews, Helen C. McCarty, Geraldine Clark McGovern, Lois B. McRae, Ellen Russell McWilliams, Eloise Sanford Davison Miller, Mary Kurth Moler, Alice Alford Morgan, Anna Lochte Murphy, Margaret Elma Naylor, Edna Meier Nielson, Margaret Broderick Nolan, Alice F. O'Neal, Helen Geraldine O'Neill, Helen Linkins Opitz, Netty Baxter Parker, Blanche C. Paul, Anna Viola Phelps, Annie Skidmore Powers, Sue Gould Prentiss, Edith Warren Quinn, Lillian Louise Reagan, Edna Marie Robey, Estelle Richardson Ruby, Ethel Clark Rule, Louise MacDonnell Ryan, Elizabeth Ivey Sage, Marion Trumbo Skinner, Jessica Randolph Smith, Margaret Grady Smith, Mabel F. Staub, Emily Steele, Nellie Rollins Stein, Edith Herndon Summerson, Mary Sullivan Tatspaugh, Marion Crawford Thur, Mary Killilea Tracey, Margaret Mills Vaughan, Eva Young Virtue, Olive Wrenn Walter, Genevieve F. Wedding, Mary Z. Weide, Lena Kathryn Willige, Pansie Casanave Willson, Ethel M. Wilson, Faith Clements Windsor, Amy Owen Wood, Lena Rigby Woolford, Myrtle Stephens Wright, and Mary Crook Yates, all of the District of Columbia;

Marie Roberts Bevis, Zella Prunty Byrd, Lamonte Oliver Cates, Demerise Labbe Cleveland, Ida Matthews Eichenberger, Loyce Davis Hackett, Mabel Williamson Jacobs, Madeline A. Jacobson, Idele Torrance Jamison, Adele Mead Kendrick, Josephine Mack Miller, Lois Clappison Morse, Almeda Fink Murphy, Roxana Anne Post, Agnes Towson Shelton, Daisy Ruth Westerlund, and Elsie Tuttle Wright, all of Florida;

Anna Elizabeth O'Connell, of Georgia;

Alta Sebree Wardwell Donovan, of Idaho;

Elsie Ericksen Biever, Nora Pomeroy Darling, Grace Alma Dunbar, Anne Rourke Durst, Virginia Stoddert Moore Grottee, Nell Weston Halstead, Edna Benton Hann, Cornelia M. Huennekens, Elizabeth Ann McCoy, Mary Louise Minton, Josephine MacFarland Moran, Mable Vander Ploeg Pease, Hester Smith Rasmussen, Agnes Foertsch Rohlfing, Marie Healy Simpson, Evelyn Jackson Skavlan, Constance Strong, and May Gilligan Sutherland, all of Illinois;

Donna Zimmer Akin, Bessie Fisher Bogwell, Hortense Lee Goldsmith, Mary Parker Harris, and Minnie Tryon Ryan, all of Indiana;

Maud Lowell Ayers, of Kentucky;

Sarah Flaherty Gallagher, and Gladys Ilsley McKnight, of Maine;

L. Dorothy Devey Brunken, Lucille Bonita Garrett, Fannie Grigat Laut, Grace Ryder Mead, Katherine Marie Page, Lillian Deters Tabor, Effie Van Horn Thomas, Edna Josephine Yorker, and Anna Kaer Yust, all of Maryland;

Mary Lee Aylward, Marion L. Bain, Florence K. Barry, Anna E. Beers, Helen I. Blake, Mary C. Breslow, Adelaide Mary Bresnahan, Gladys Bruce, Isabel Kehoe Burk, Aileen J. Burke, Elizabeth Helen Burke, Dorothy Leighton Cady, Alice Elinor Carey, Helen Carman, Mary A. Carroll, Mary Chisel, Mary Warner Colombo, Mazie Conley, Kathryn J. Connor, Anita Ryan Connors, Mary M. Conroy, Ellen Bernadette Corbett, Catherine A. Corcoran, Winifred Burns Cox, Lizzie Glidden Crowley, Madeleine Galvin Delano, Elinor Kyle Devine, Sally Ryan Devlin, Mary F. Doherty, Jane E. Dolsen, Mary Dowd, Eleanor Marion Drew, Alice Driscoll, Mary Joyce Duggan, Mollie Catherine Dundon, Margaret Murphy Faherty, Helen Farrell, Helen Mary Farrell, Catherine Woodward Feeney, Bernice W. Fortin, Patricia Gleason, Marion E. Grady, Mary E. Grady, Anna Mary Hegarty, Ethel Hickey, Dorothy Drew Horan, Elizabeth A. Horgan, Marie Lambert Johnson, Anna Riley Joyce, Agnes Keanneally, Ellen E. Kearns, Bessie Josephine Kelly, Violet Elizabeth Kirkland, Ethel Lally, Genevieve Adrienne Lane, Lucy Marshall Lanigan, Ellen A. Lannigan, Leonore Learson, Julia B. Lehan, Marie Alice Long, Gertrude Lorton, Emma Macaulay Lyle, Helen Stolba Macbeth, Gertrude Catherine Macdonald, Margaret Mehlman Maguire, Anna Marie Mahan, Genevieve A. Maher, Mary Louise Marcille, Marie Kathryn McAuliffe, Anna McCarthy, Helen F. McDonald, Catherine McDonough, Marion Mary McElaney, Anna Marie McGuire, Esther McCall McLaughlin, Agnes Murphy McLean, Anna L. McNulty, Ruth Desmond McSweeney, Bertha Erickson Mead, Irene Florence Michel, Yvonne Michel, Margaret Isabelle Mitchell, Margaret Louise Murphy, Helen Adelaide Murray, Elizabeth McDonald Myers, Helen Barr Nickerson, Eleanor Teresa O'Brien, Marguerite Catherine O'Brien, Ria Minehan O'Brien, Margaret Lonergan O'Brion, Helen O'Brien O'Connor, Elizabeth M. O'Donnell, Mary Bull Owens, Olive T. Parsons, Mary Fielding Rawling, Mary McGunigle Redmond, Elizabeth Foley Regan, Mary Lane Regan, Ellen Riley, Helen O'Brien Riley, Anita Roberts, Mary Myers Robinson, Alice Mahan Saunders, Gladys Mary Saxton, Mary Elizabeth Scalley, Julia E. Shine, Elizabeth Stander, Mary Catherine Sughrue, Madeline O'Brien Sullivan, Harriet Mussinan Swearingen, Mary Gross Thayer, Grace M. Tomasello, Madeline Robillard Treloar, Isabel Catherine Wall, Lulu Veronica Walsh, Ethel Mary Ward, Agnes O'Brien Welch, Esther Marie Werme, Margaret Gertrude Wholly, Alice M. Williams, Lillian Everette Williams, Lucy M. Winn, and Maud C. Young, all of Massachusetts;

Theresa Bean Ballenger, Lilla Mary Bellinger, Gertrude M. Camp, Pauline Cassidy, Grace Schoenhur Conway, Marie Rossley Kalt, Gladys Webster Mallett, Helen Moran, and Margaret Morton Mullaney, all of Michigan;

Ethyl Ryan Maly and Gertrude O'Connor Trestrail, of Minnesota;

Gladys Thames Hubbard, of Mississippi;

Sophie Polenska Coleman, of Missouri;

Davidson, Edyth Plummer, and Dorothy Mauck Wehrman, of Nebraska;

Christina Sander Anderson, Anna Elizabeth Conroy, Gertrude O'Neil DeBrunner, A. May Erwin, Alice Catherine Fairbrother, Kathleen Mary Field, Anne Pedersen Freeman, Marguerite B. Geiger, Lillian Helena Hannold, Julia Hicks, Anna V. Kane, Dorothy May Lee, Corrine Dextroze Mahanna, Anne Marie McCormick, Mina Klein Morrison, Marie Burke Oetmann, Ann B. Shinnick, and Catherine Waters, all of New Jersey;

Sarah Russell Imhof, of New Mexico;

Mary Ducey Archer, Laura Dayton Ball, Esther Berkowitz, Rose Brancato Biagi, May Anne Blazina, Ruth Nethaway Bouck, Harriet Eldridge Robins Brandt, Josephine Mitchell Brosseau, Irene Malito Brown, Regina Burke, Frances Jedlicka Campbell, Rowena Margaret Campbell, May Flaherty Carroll, Veronica Marie Cherry, Mary L. Clark, May Cecilia Collins, Ada Howe-Webster Dailinger, Julia Flynn Dorner, Alice Leahy Everard, Dorothy Winifred Ferrier, Elinor Valentine Foley, Marie McElroy Forte, Anna Gallagher, Margaret Katherine Garland, Florence Wilson Goulden, Alice Miriam Govenor, Elizabeth Anna Gridley, Mildred Berryman Hall, Mary Mahoney Halwartz, S. Dorothy First Hayes, Alice Gieseking Johnson, Angela Lyons Johnson, Marie Elizabeth Kelly, Carrie Klinger, Leonore Lawson Koellsted, Lucile Alzamora Lacey, Mary Gray Langford, Esther Martins Law, Hortense Lersner, Gertrude Long, Isabel Margaret Lynch, Nellie Mahoney, Ruth Evelyn Manning, Matilda Foeth McDonald, Agnes Murphy McGovern, Mary McMahon, Lillian Forsberg Miller, Maud Amelia Mittern, Blanche Babbitt Moeller, Frances Donahue Molloy, Mina Walden Mullen, Lulu Muller, Mary Elizabeth Noel, Lillie May Nohowec, Mabel Dorothy O'Connell, Betty A. Peifer, Frances L. Phair, Anna Reisman, Julia White Robbins, Marion Flannery Savage, Gertrude Evelyn Sawyer, Margaret Faglon Schutt, Mae E. Shuttleworth, Ethel Lynwood Sickles, M. Grace Siegmann, Alice Clyde Stafford, Jeannette Gartland Sturla, May Agnes Sullivan, Lilian Browne Swanson, Dorothy Bradford Thomson, Irene M. Tynan, Rita Regan Wallis, Florence Kelley Walters, Irene Hallan Webb, Julia Woodroff Wheelock, Sally R. Wolf, Sarah Gibbon Yeoman, and Henrietta Yunker, all of New York;

Cooper Miller Correll, Willa Tritt Coward, Virginia Dockery Crow, Lassie Kelly Cunningham, Ethel Harwood Fuller, Estelle D. Gordon, Velma Moody Horne, Annie L. Londeree, Arabella Johnson Milligan, Rebecca Adams Nichols, Mary Allen Pearce, Kathleen Rogers Tate, and Edith Singer Weibel, all of North Carolina;

Neita Russell Christian, Evelyn Evans, Mary Pow Hartman, and Mae E. Hickey, all of Ohio;

Helen Jane Bringler and Bessie Hittle Groff, of Oklahoma;

Anna Lenz Seaton, and Evelyn B. Youngs, of Oregon;

Marie R. Ahern, Mary Kemp Anthony, Laura Anderson, Sue Rohland Arishoff, Lillian Young Armour, Minnetta Collies Bentz, Lillian LeVene Blackman, Maybelle M. Bond, Anna D. Boyle, Gertrude Margaret Bracken, Winifred Brooks, May McCormick Bullock, Emma Engel Bunte, Margaret Rebecca Burdell, Mary Gallagher Campbell, Margaret M. Collins, Mae McConnell Conlin, Mary E. Cross, Mrs. James Crumlish, Anna Maguire Culliton, Mary Cavanaugh Daly, Claire Dougherty Dever, Helen M. Devery, Anna Marie Devine, Elizabeth Gray Doran, Helen Dunne, Helen Coty Easterby, Anna Viola Edmonds, Dorothy Elma Evans, Florence Monberger Fedor, Sylvania Israel Garner, M. Cecilia Geiger, Gertrude White Gilkes, Fanny Goldscheider, Blanche Miller Grimes, Catherine Stanfield Gutenberger, Emily Hacker, Beatrice B. Hamer, Agnes E. Hamill, Marion Manahan Hammill, Claire V. Harkins, Bertha M. Harris, Mary English Harvey, Freda Forster Hawsey, Kathryn Johnston Hazzard, Charlotte King Hedden, Jane Orr Heilig, S. Elizabeth Holmes, Effie C. Innes, Sue Altemus Jones, Anna Elizabeth Jourdan, Marie A. Kelly, Marie V. Klase, Emma Edith Lapeus, Sophia Levin, Mary M. Long, Laura Harrison Love, Anna Elizabeth Magee, Helen Marshall, Esther Nichols Martin, Cecilia McHale, Elizabeth Marie McNamee, Anna J. Meara, Mary Burton Morris, Rosaline K. Moscony, Helen Hannigan Myers, Sara Myers, Florence Fischer Nicholson, Vesta Kaufman Niedt, Sylvania W. Oberholtzer, Anna Florence O'Connor, Constance O'Hara, Catherine G. O'Neill, Margaret Elizabeth Paul, Anne M. Perry, Cora Felter Phillips, Molly Dever Purcell, Mary A. Raith, Sara Ada Rice, Isabel E. Rosenfeldt, Anna M. Ross, Lillian White Schumacher, Prudence McCullin Sheperla, Rachel Emily Shultz, Aida Holz Skelly, Mabel Melville Slifer, Marjorie L. Slocum, Mary T. Smith, Caroline Steinbock, Mary M. Taylor, Agnes Finley Tieman, Ida Carver Townsend, Gertrude Martin Voigt, Katherine Frances Walsh, Mary Warren, Elsie E. Weaver, Amy Maria Weems, Annette Kirby Weirbach, Margaret Rowena Wellbank, Joanna Ferguson Wittman, and Elsie Richards Whitmore, all of Pennsylvania;

Jennie Carter Aldred, Elizabeth Louise Baxter, Lydia York Brown, Lylian Annette Callis, Lillie Reeves Campbell, Olive Mather Clark, Theresa Margaret Dunphy, Helen MacDonald Garnett, Matilda Eglinton Grady, Dora Bucklin Helwig, Catherine Freeman Hunt, Monica Monaghan Keenan, Margaret Ruane McCartin, Effie Crowther Meeker, Mary Littlefield O'Mara, Jennie Cavanaugh Peffer, and Agnes Wheeler Smith, all of Rhode Island;

Bertha Avaunt Frischkorn, Sara Quinn Harrington, Rosa Wade Holland, Florence Idella Larasey, Mary Sinkler de Saussure McQueen, Ida Marie Stoesen, and Mamie Elizabeth Verdier, all of South Carolina;

Antonio Shuster Bunger, Sue Lou Rutledge Corbin, and Louisa Daniell Shepard, all of Texas;

Esther Laubach, of Utah;

Nellie Leland Cutler and Minnie Bliss Sweetser, of Vermont;

Bertha Tyler Carwithen, Columbia Taylor Conway, Mary Anne Eike, Janet Rishell English, Dorothy Knight Fannon, Pauline Taylor Groves, Peggy Oakes Marable, Ethel Ward Montagne, Rose Nelson O'Hara, Anna Smith Reynolds, Josephine M. Senerchia, Maude Lois Smith, Mayme E. Smith, Mary Phillips Spiers, Margaret C. Thomas, and Ulla Rathbun Tracy, all of Virginia;

Sadie Conely Babcock, Margaret Powell Bidlake, Calla Layton Henly, Betty L. Reynolds, Emma Rogers Shriver, Lillian M. Squier, and Agnes Bell Williams, all of Washington;

Elsie Jane Beaty, Beulah Bess Carper, Ada Drown Childers, Mabelle W. Clinton, Alberta Herren Davis, Selma Price Deyo, Cora Byrnside Haynes, Mabel Claire Heslep, Hazel Hodge, Pauline Miller Howard, Tillie Haley Hull, Elizabeth Van Hoose Hurt, Helen Southworth Lanterman, Hope Parker Oesterle, Naoma Hawkes Parsons, Mary Louise Price, Kathaleen Dellinger Ridgley, and Wafie Calebaugh Robinson, all of West Virginia;

Mrs. Wallace A. Giffen, Laura V. Hall, Eleanore Walters Herdrich, Ada Hosford, and Sophia Keller Ormond, all of Wisconsin;

Susan Barnes Turney, of Wyoming;

Wilhelmina Mezger Farvin Woofter, of Alaska;

Katherine Patee MacMillian, of Canada;

Rose O'Connell Shaefer, of China;

Laura Finnegan Cheatham, Margaret MacEachern Edwards, Marie Murray Grant, Lillian Cooper Harrington, and Julia Weber, all of Hawaii;

and their associates and successors are created a body corporate and politic, in the District of Columbia, by the name of "The National Yoemen[1] F", for patriotic, historical, and educational purposes; to foster and perpetuate the memory of the service of Yoeman[1] (f) in the United States Naval Reserve Force of the United States Navy during the World War; to preserve the memories and incidents of their association in the World War by the encouragement of historical research concerning the service of Yoemen[1] (f); by the promotion of celebrations of all patriotic anniversaries to cherish, maintain, and extend the institutions of American freedom; to foster true patriotism and love of country, and to aid in securing for mankind all the blessings of liberty.

(June 15, 1936, ch. 546, § 1, 49 Stat. 1501.)

§ 139a. Right to hold property; constitution, bylaws and seal

Said organization is authorized to hold real and personal estate in the United States so far only as may be necessary to its lawful ends, to an amount not exceeding $50,000, and may adopt a constitution and bylaws not inconsistent with law, and may adopt a seal.

(June 15, 1936, ch. 546, § 2, 49 Stat. 1506.)

§ 139b. Deposit of historical material

The regents of the Smithsonian Institution are authorized to permit said national organization to deposit its collections, manuscripts, books, pamphlets, and other material for history in the Smithsonian Institution or in the National Museum, at their discretion, upon such conditions and under such rules as they shall prescribe.

(June 15, 1936, ch. 546, § 3, 49 Stat. 1506; June 29, 1960, Pub. L. 86-533, § 1(23), 74 Stat. 249.)

AMENDMENTS

1960—Pub. L. 86-533 repealed provisions which required the organization to report annually to the Secretary of the Smithsonian Institution concerning its proceedings, and required the Secretary to communicate to Congress such portions thereof as he may deem of national interest and importance.

CHAPTER 8B—SERVICE CLUBS

Sec.
140. Corporation created.
140a. Purposes of corporation.
140b. Powers and liabilities of corporation.
140c. Reports to Congress.

§ 140. Corporation created

Sigfred A. Sandeen, national commandant; Ernest C. Fiedler, national senior executive officer; Thomas D. Hickey, national junior executive officer; Forest F. Bodiker, national paymaster; V. Homer Peabody, national chaplain; Mason C. Martin, national historian; and John F. McCullough, medical doctor, national medical officer, are created a body corporate of the name, "Navy Club of the United States of America."

(June 6, 1940, ch. 239, § 1, 54 Stat. 232.)

RESERVATION OF RIGHT TO ALTER CHAPTER

Section 5 of act June 6, 1940, provided: "That the right to alter, amend, or repeal this Act (sections 140 to 140c of this title) at any time is hereby expressly reserved."

§ 140a. Purposes of corporation

The purposes of this corporation shall be (a) to further, encourage, promote, and maintain comradeship among those persons who are or have been in the active service of the United States Navy, the United States Marine Corps, or the United States Coast Guard; (b) to revere, honor, and perpetuate the memory of those persons who have been such members and have departed this life; (c) to promote and encourage further public interest in the United States Navy, the United States Marine Corps, and the United States Coast Guard and the history of said organizations; (d) to uphold the spirit and ideals of the United States Navy, the United States Marine Corps, and the United States Coast Guard; (e) to promote the ideals of American freedom and democracy and to fit its members for the duties of citizenship and to encourage them to serve as ably as citizen[1] as they have served the Nation under arms; and (f) to maintain true allegiance to American institutions.

(June 6, 1940, ch. 239, § 2, 54 Stat. 232.)

§ 140b. Powers and liabilities of corporation

The corporation (a) shall have perpetual succession; (b) may charge and collect membership dues and receive contributions of money or property to be devoted to carrying out the purposes of the organization; (c) may sue or be sued; (d) may adopt a corporate seal and alter it at pleasure; (e) may adopt and alter bylaws not inconsistent with the Constitution and laws of the United States or of any State; (f) may establish and maintain offices for the conduct of its business; (g) may appoint or elect officers and agents; (h) may choose a board of trustees, consisting of not more than fifteen persons nor less than five persons, to conduct the business and exercise the powers of the corporation; (i) may acquire, by purchase, devise, bequest, gift, or otherwise, and hold, encumber, convey, or otherwise dispose of such real and personal property as may be necessary or appropriate for its corporate purposes; and (j) generally may do any and all lawful acts necessary or appropriate to carry out the purposes for which the corporation is created.

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[1] So in original. Probably should read "yeomen."

[1] So in original. Probably should read "citizens."

(June 6, 1940, ch. 239, § 3, 54 Stat. 233.)

§ 140c. Reports to Congress

The corporation shall, on or before the 1st day of December in each year, transmit to Congress a report of its proceedings and activities for the preceding calendar year. Such reports shall not be printed as public documents.

(June 6, 1940, ch. 239, § 4, 54 Stat. 233; Aug. 30, 1964, Pub. L. 88-504, § 4(11), 78 Stat. 637.)

AMENDMENTS

1964—Pub. L. 88-504 deleted ", including the full and complete statement of its receipts and expenditures" following "calendar year".

CHAPTER 9—NATIONAL OBSERVANCES

Sec.
141. Display of flag on buildings on second Sunday in May.
142. Second Sunday in May designated as Mother's Day.
142a. Third Sunday in June designated as Father's Day; display of flags on buildings; observance.
143. First Monday in October designated as Child Health Day.
144. Transferred.
145. May twenty-second designated as National Maritime Day.
146. October twelfth as Columbus Day.
147. Display of flag on buildings on last Sunday in September.
148. Last Sunday in September designated as Gold Star Mother's Day.
149. April thirteenth for commemoration of Thomas Jefferson's birth.
150. April as Cancer Control Month.
151. August nineteenth as Aviation Day.
151a. December seventeenth as Pan American Aviation Day.
152. Repealed.
153. Citizenship Day; designation; proclamation; observance.
154. Address to newly naturalized citizens.
155. National Employ the Handicapped Week.
156. National Freedom Day.
157. Flag Day; designation; proclamation; observance.
157a. National Flag Week.
157b. Honor America Days.
158. Stephen Foster Memorial Day.
159. Constitution Week; designation; proclamation; observance.
160. National Defense Transportation Day; proclamation; designation; observance.
161. National Safe Boating Week.
Sec.
162. Loyalty Day.
163. National Forest Products Week.
164. Law Day, U.S.A.; designation; proclamation; observance.
165. National Poison Prevention Week.
166. National Transportation Week.
167. Peace Officers Memorial Day.
168. National School Lunch Week.
169. Wright Brothers Day.
169a. Save Your Vision Week.
169b. American Heart Month.
169c. Leif Erikson Day.
169d. White Cane Safety Day.
169e. Steelmark Month.
169f. National Hispanic Heritage Week.
169g. Memorial Day as day of prayer for permanent peace.
169h. National Day of Prayer.

PROC. NO. 4411. THE BICENTENNIAL YEAR

Proc. No. 4411, Dec. 31, 1975, 41 F.R. 1035, provided: In the year 1776, the people of our land dedicated themselves in word and deed to the principles of liberty, equality, individual dignity, and representative government. It was a hectic but heroic beginning of a process which led to the creation of a great Republic symbolizing then, as it does today, the hope of the future.

The year 1776 was a year of revolution, not merely in the rejection of colonial rule, but in the thoughtful, eloquent, and enduring expression of a government to foster and perpetuate the development of a free and independent people.

Now, two hundred years later, we have settled our continent and turned our vision to the limits of the universe. We are the richest nation in the world—rich in our resources, rich in our creativity, rich in our strength, and rich in our people—from our Native Americans to those who have come from every country on earth to share in the hope, the work, and the spirit of our Republic.

The challenges faced by our forebears were not only to their physical capabilities but also to their faith in the future. Their response to these challenges affirmed their deep belief that by their actions they could create a better world for themselves and those that would follow. As we enter America's third century, let us emulate in word and deed, their resolve and vision.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby proclaim the year of our Lord nineteen hundred seventy-six as The Bicentennial Year. Let 1976 be a year of reflection, a year of sharing, and foremost, a year of achievement.

I urge all Americans to reflect, from time to time during this Bicentennial Year, on the historic events of our past, on the heroic deeds of those whose legacy we now enjoy, and on the compelling visions of those who helped shape our constitutional government.

I call upon educators, clergy and labor, business and community leaders, as well as those in the communications media, to review our history and publicize the shaping events, people, and ideas of our historic beginnings.

I call upon every man, woman, and child to celebrate the diversity of tradition, culture and heritage that reflects our people and our patrimony. Let each of us resolve to cherish and protect what we have achieved in the United States of America and to build upon it in the years ahead, not by words alone, but by actions which bespeak a continuing commitment to a heritage of individual initiative, creativity, and liberty.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of December, in the year of our Lord nineteen hundred and seventy-five, and of the Independence of the United States of America the two hundredth.

GERALD R. FORD.

PROC. NO. 4492. ARMED FORCES DAY

Proc. No. 4492, Mar. 22, 1977, 42 F.R. 15889, provided:

Since the founding of the Republic, the Armed Forces of the United States have served the nation in peace and war with honor and distinction. Those who wear the uniforms of the Army, Navy, Air Force, Marine Corps and Coast Guard have carved out respect for their patriotic service.

It is appropriate that we set aside one day each year to pay tribute to these men and women throughout the world.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States and Commander-in-Chief of the Armed Forces of the United States, continuing the precedent of my six immediate predecessors in this Office, do hereby proclaim the third Saturday of each May as Armed Forces Day.

I direct the Secretary of Defense on behalf of the Army, the Navy, the Air Force, and the Marine Corps, and the Secretary of Transportation on behalf of the Coast Guard, to plan for appropriate observances each year, with the Secretary of Defense responsible for soliciting the participation and cooperation of civil authorities and private citizens.

I invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States, to provide for the observance of Armed Forces Day within their jurisdiction each year in an appropriate manner designed to increase public understanding and appreciation of the Armed Forces of the United States.

I also invite national and local veterans, civic and other organizations join in the observance of Armed Forces Day each year.

I call upon my fellow Americans not only to display the flag of the United States at their homes on Armed Forces Day, but also to learn about our System of defense, and about the men and women who sustain it, by attending and participating in the local observances of the day.

Proclamation 4357 of March 25, 1975, is hereby superseded.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of March, in the year of our Lord nineteen hundred and seventy-seven, and of the Independence of the United States of America the two hundred and first.

JIMMY CARTER.

PRIOR PROCLAMATIONS

Proc. No. 3172, Mar. 6, 1957, 22 F.R. 1427, which proclaimed Armed Forces Day as the third Saturday of May in each year, was superseded by Proc. No. 3655, May 7, 1965, 30 F.R. 6467.

Proc. No. 3399, Mar. 22, 1961, 26 F.R. 2501, which proclaimed Armed Forces Day, was superseded by Proc. No. 3655, May 7, 1965, 30 F.R. 6467.

Proc. No. 3655, May 7, 1965, 30 F.R. 6467, which proclaimed Armed Forces Day as the third Saturday of May in each year, was superseded by Proc. No. 4276, Mar. 21, 1974, 39 F.R. 10877.

Proc. No. 4276, Mar. 21, 1974, 39 F.R. 10877, which proclaimed Armed Forces Day as the third Saturday of May in each year, was superseded by Proc. No. 4357, Mar. 25, 1975, 40 F.R. 13293.

Proc. No. 4357, Mar. 25, 1975, 40 F.R. 13293, which proclaimed Armed Forces Day as the third Saturday of May in each year was superseded by Proc. No. 4492, Mar. 22, 1977, 42 F.R. 15889.

CROSS REFERENCES

Legal holidays, see section 6103 of Title 5, Government Organization and Employees.

Occasions for display of flag, see section 174 of this title.

§ 141. Display of flag on buildings on second Sunday in May

The President of the United States is authorized and requested to issue a proclamation calling upon the Government officials to display the United States flag on all Government buildings, and the people of the United States to display the flag at their homes or other suitable places, on the second Sunday in May, as a public expression of our love and reverence for the mothers of our country.

(May 8, 1914, No. 13, § 1, 38 Stat. 770.)

CROSS REFERENCES

Legal holidays, see section 6103 of Title 5, Government Organization and Employees.

Occasions for display of flag, see section 174 of this title.

§ 142. Second Sunday in May designated as Mother's Day

The second Sunday in May shall hereafter be designated and known as Mother's Day, and it shall be the duty of the President to request its observance as provided for in this resolution.

(May 8, 1914, No. 13, § 2, 38 Stat. 771.)

§ 142a. Third Sunday in June designated as Father's Day; display of flags on buildings; observance

The third Sunday in June of each year is hereby designated as "Father's Day". The President is authorized and requested to issue a proclamation calling on the appropriate Government officials to display the flag of the United States on all Government buildings on such day, inviting the governments of the States and communities and the people of the United States to observe such day with appropriate ceremonies, and urging our people to offer public and private expressions of such day to the abiding love and gratitude which they bear for their fathers.

(Pub. L. 92-278, Apr. 24, 1972, 86 Stat. 124.)

§ 143. First Monday in October designated as Child Health Day

The President of the United States is authorized and requested to issue annually a proclamation setting apart the first Monday in October of each year as Child Health Day and inviting all agencies and organizations interested in child welfare to unite upon that day in the observance of such exercises as will awaken the people of the Nation to the fundamental necessity of a year-round program for the protection and development of the health of the Nation's children.

(May 18, 1928, ch. 643, 45 Stat. 617; Sept. 22, 1959, Pub. L. 86-352, 73 Stat. 627.)

AMENDMENTS

1959—Pub. L. 86-352 substituted "the first Monday in October" for "May 1".

EFFECTIVE DATE OF 1959 AMENDMENT

Pub. L. 86-352 provided in part that amendment by Pub. L. 86-352 should be effective Jan. 1, 1960.

Cross References

Provisions relating to public health generally, see section 1 et seq. of Title 42, The Public Health and Welfare.

§ 144. Transferred

Codification

Section, act Mar. 3, 1931, ch. 436, 46 Stat. 1508, which designated "The Star-Spangled Banner" as the national anthem of the United States, was transferred to section 170 of this title.

§ 145. May twenty-second designated as National Maritime Day

May 22 of each year shall hereafter be designated and known as National Maritime Day, and the President is authorized and requested annually to issue a proclamation calling upon the people of the United States to observe such National Maritime Day by displaying the flag at their homes or other suitable places and Government officials to display the flag on all Government buildings on May 22 of each year.

(May 20, 1933, ch. 36, 48 Stat. 73.)

Cross References

Occasions for display of flag, see section 174 of this title.

§ 146. October twelfth as Columbus Day

The President of the United States is authorized and requested to issue a proclamation designating October 12 of each year as Columbus Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of the public sentiment befitting the anniversary of the discovery of America.

(Apr. 30, 1934, ch. 184, 48 Stat. 657.)

Cross References

Occasions for display of flag, see section 174 of this title.

§ 147. Display of flag on buildings on last Sunday in September

The President of the United States is authorized and requested to issue a proclamation calling upon the Government officials to display the United States flag on all Government buildings, and the people of the United States to display the flag and to hold appropriate meetings at their homes, churches, or other suitable places, on the last Sunday in September, as a public expression of the love, sorrow, and reverence of the people of the United States for the American Gold Star Mothers.

(June 23, 1936, ch. 736, § 1, 49 Stat. 1895.)

Cross References

Occasions for display of flag, see section 174 of this title.

Section Referred to in Other Sections

This section is referred to in section 148 of this title.

§ 148. Last Sunday in September designated as Gold Star Mother's Day

The last Sunday in September shall be designated and known as "Gold Star Mother's Day", and it shall be the duty of the President to request its observance as provided for in section 147 of this title.

(June 23, 1936, ch. 736, § 2, 49 Stat. 1895.)

§ 149. April thirteenth for commemoration of Thomas Jefferson's birth

The President of the United States of America is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on April 13 of each year, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the birth of Thomas Jefferson.

(Aug. 16, 1937, ch. 666, 50 Stat. 668.)

Bicentennial Celebration of Birth of Jefferson

The Thomas Jefferson Bicentennial Commission was created by act Sept. 24, 1940, ch. 730, 54 Stat. 960, and vested with authority to make plans for the celebration in 1943 of the two-hundredth anniversary of the birth of Thomas Jefferson, and these powers were further extended by act July 30, 1942, ch. 537, 56 Stat. 728.

The National Agricultural Jefferson Bicentenary Committee was created and appointed to carry out appropriate exercises in recognition of Jefferson's contributions to the farmers and the agriculture of the Nation by act Dec. 3, 1943, ch. 333, 57 Stat. 595.

Cross References

Occasions for display of flag, see section 174 of this title.

§ 150. April as Cancer Control Month

The President of the United States is authorized and requested to issue annually a proclamation setting apart the month of April of each year as Cancer Control Month and to invite annually the Governors of the several States and Territories and possessions of the United States to issue proclamations for like purposes. It is requested that such proclamations invite the medical profession, the press, and all agencies and individuals interested in a national program for the control of the disease of cancer by education and other cooperative means to unite during the month in a public dedication to such a program and in a concerted effort to impress upon the people of the Nation the necessity of such a program.

(Mar. 28, 1938, ch. 56, 52 Stat. 148.)

§ 151. August nineteenth as Aviation Day

The President of the United States is authorized to designate August 19 of each year as National Aviation Day, and to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on that day, and inviting the people of the United States to observe the day with appropriate exercises to further and stimulate interest in aviation in the United States.

(May 11, 1939, ch. 123, 53 Stat. 739.)

CROSS REFERENCES

Occasions for display of flag, see section 174 of this title.

§ 151a. December seventeenth as Pan American Aviation Day

The President of the United States is authorized to designate December 17 of each year as Pan American Aviation Day and to issue a proclamation calling upon all officials of the Government, Governors of the fifty States, our possessions, and all citizens to participate in the observance of this day to further and stimulate interest in aviation in the American countries as an important stimulus to the further development or more rapid communications and a cultural development between the nations of the Western Hemisphere.

(Oct. 10, 1940, ch. 840. 54 Stat. 1093.)

CODIFICATION

The term "fifty States" was in the original, "forty-eight States" and has been editorially substituted to reflect the admission into statehood of Alaska and Hawaii.

§ 152. Repealed. Feb. 29, 1952, ch. 49, § 3, 66 Stat. 10

Section, act May 3, 1940, ch. 183, § 1, 54 Stat. 178, designated the 3d Sunday in May as Citizenship Day, and is now covered by sections 153 and 154 of this title.

§ 153. Citizenship Day; designation; proclamation; observance

The 17th day of September of each year is designated as "Citizenship Day" in commemoration of the formation and signing, on September 17, 1787, of the Constitution of the United States and in recognition of all who, by coming of age or by naturalization have attained the status of citizenship, and the President of the United States is authorized to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies.

The civil and educational authorities of States, counties, cities, and towns be, and they are, urged to make plans for the proper observance of this day and for the full instruction of citizens in their responsibilities and opportunities as citizens of the United States and of the States and localities in which they reside.

Nothing herein shall be construed as changing, or attempting to change, the time or mode of any of the many altogether commendable observances of similar nature now being held from time to time, or periodically, but, to the contrary, such practices are praised and encouraged.

(Feb. 29, 1952, ch. 49, § 1, 66 Stat. 9.)

CROSS REFERENCES

Citizenship clause, see Const. Amend. 14, § 1.

Occasions for display of flag, see section 174 of this title.

§ 154. Address to newly naturalized citizens

Either at the time of the rendition of the decree of naturalization or at such other time as the judge may fix, the judge or someone designated by him shall address the newly naturalized citizen upon the form and genius of our Government and the privileges and responsibilities of citizenship; it being the intent and purpose of this section to enlist the aid of the judiciary, in cooperation with civil and educational authorities, and patriotic organizations in a continuous effort to dignify and emphasize the significance of citizenship.

(Feb. 29, 1952, ch. 49, § 2, 66 Stat. 10.)

PRIOR PROVISIONS

Similar provisions were contained in act May 3, 1940, ch. 183, § 2, 54 Stat. 178.

CROSS REFERENCES

Citizenship clause, see Const. Amend. 14, § 1.

§ 155. National Employ the Handicapped Week

Hereafter the first week in October of each year shall be designated as National Employ the Handicapped Week. During such week appropriate ceremonies shall be held throughout the Nation, the purposes of which will be to enlist public support for and interest in the employment of otherwise qualified but handicapped workers.

The President is hereby requested to issue a suitable proclamation each year, and the Governors of States, mayors of cities, and heads of other instrumentalities of government, as well as leaders of industry, educational and religious groups, labor, veterans, women, farm, scientific and professional, and all other organizations and individuals at interest are invited to participate.

(Aug. 11, 1945, ch. 363, 59 Stat. 530; Oct. 8, 1970, Pub. L. 91-442, 84 Stat. 914.)

AMENDMENTS

1970—Pub. L. 91-442 changed the designation "National Employ the Physically Handicapped Week" to "National Employ the Handicapped Week" and changed the purposes from enlisting public support for and interest in the employment of otherwise qualified but physically handicapped workers to enlisting public support for and interest in the employment of otherwise qualified but handicapped workers.

§ 156. National Freedom Day

The President of the United States is authorized to issue a proclamation designating the 1st day of February of each year as National Freedom Day for the purpose of commemorating the signing by President Abraham Lincoln, on February 1, 1865, of the joint resolution adopted by the Senate and the House of Representatives of the United States, proposing the thirteenth amendment to the Constitution of the United States of America.

(June 30, 1948, ch. 755, 62 Stat. 1150.)

§ 157. Flag Day; designation; proclamation; observance

The 14th day of June of each year is hereby designated as "Flag Day", and the President of the United States is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day, and urging the people to observe the day as the anniversary of the adoption on June 14, 1777, by the Continental Congress of the Stars and Stripes as the official flag of the United States of America.

(Aug. 3, 1949, ch. 385, 63 Stat. 492.)

§ 157a. National Flag Week

The President is authorized and requested to issue annually a proclamation designating the week in which June 14 occurs as National Flag Week, and calling upon all citizens to display the flag of the United States on those days.

(Pub. L. 89–443, June 9, 1966, 80 Stat. 194.)

§ 157b. Honor America Days

Congress declares the twenty-one days from Flag Day through Independence Day as a period to honor America, and further declares that there be public gatherings and activities at which the people of the United States can celebrate and honor their country in an appropriate manner.

(Pub. L. 94–33, June 13, 1975, 89 Stat. 211.)

§ 158. Stephen Foster Memorial Day

The President of the United States is authorized to issue a proclamation designating January 13 of each year as Stephen Foster Memorial Day, and calling upon the people throughout the United States to observe such day with appropriate ceremonies, pilgrimages to his shrines, and musical programs featuring his compositions.

(Oct. 27, 1951, ch. 593, 65 Stat. 659.)

§ 159. Constitution Week; designation; proclamation; observance

The President of the United States is authorized and requested to designate the period beginning September 17 and ending September 23 of each year as Constitution Week, and to issue annually a proclamation inviting the people of the United States to observe such week in schools, churches, and other suitable places with appropriate ceremonies and activities.

(Aug. 2, 1956, ch. 875, 70 Stat. 932.)

§ 160. National Defense Transportation Day; proclamation; designation; observance

The President of the United States is authorized and requested annually to issue a proclamation designating the third Friday of May of each year as National Defense Transportation Day, and urging the people of the United States, including labor, management, users, and investors, in all communities served by any of the various forms of transportation by land, by sea, and by air, to observe this occasion by appropriate ceremonies which will give full recognition to the importance to each and every community and the people thereof of our transportation system and the maintenance of its facilities in the most modern state of adequacy to serve our needs in times of peace and in national defense.

(Pub. L. 85–32, May 16, 1957, 71 Stat. 30.)

§ 161. National Safe Boating Week

The President of the United States is authorized and requested to proclaim annually the week which includes July 4 as "National Safe Boating Week".

(Pub. L. 85–445, June 4, 1958, 72 Stat. 179.)

RECITAL CLAUSES

The Joint Resolution upon which this section is based contained several "Whereas" clauses reading as follows:

"Whereas our people in increasing numbers are taking part in boating activities on the waters of our Nation, with more than twenty million expected to participate during 1958; and

"Whereas safety is essential for the full enjoyment of boating; and

"Whereas many lives can be spared and injuries and property damage avoided by safe boating practices; and

"Whereas it is proper and fitting that national attention should be focused on the need for safe boating practices * * *."

§ 162. Loyalty Day

The 1st day of May of each year is designated as Loyalty Day and is to be set aside as a special day for the reaffirmation of loyalty to the United States of America and for the recognition of the heritage of American freedom; and the President of the United States is authorized and requested to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day and inviting the people of the United States to observe such day, in schools and other suitable places, with appropriate ceremonies.

(Pub. L. 85–529, July 18, 1958, 72 Stat. 369.)

§ 163. National Forest Products Week

The seven-day period beginning on the third Sunday of October in each year is designated as National Forest Products Week, and the President is requested to issue annually a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

(Pub. L. 86–753, Sept. 13, 1960, 74 Stat. 898.)

§ 164. Law Day, U.S.A.; designation; proclamation; observance

The first day of May of each year is hereby designated as Law Day, U.S.A. It is set aside as a special day of celebration by the American people in appreciation of their liberties and the reaffirmation of their loyalty to the United States of America; of their rededication to the ideals of equality and justice under law in their relations with each other as well as with other nations; and for the cultivation of that respect for law that is so vital to the democratic way of life.

The President of the United States is authorized and requested to issue a proclamation calling upon all public officials to display the flag of the United States on all government buildings on such day and inviting the people of the United States to observe such day with suitable ceremonies and other appropriate ways, through public bodies and private organizations as well as in schools and other suitable places.

(Pub. L. 87-20, Apr. 7, 1961, 75 Stat. 43.)

§ 165. National Poison Prevention Week

The President is authorized and requested to issue annually a proclamation designating the third week in March as National Poison Prevention Week, to aid in encouraging the American people to learn of the dangers of accidental poisoning and to take such preventive measures as are warranted by the seriousness of the danger.

(Pub. L. 87-319, Sept. 26, 1961, 75 Stat. 681.)

§ 166. National Transportation Week

The President of the United States is requested and authorized to officially proclaim annually the week in May of each year in which falls the third Friday of that month as National Transportation Week, and to issue a proclamation inviting the people of the United States to observe such period with appropriate ceremonies and activities, as a tribute to the men and women who, night and day, move goods and people throughout our land.

(Pub. L. 87-449, May 14, 1962, 76 Stat. 69.)

§ 167. Peace Officers Memorial Day

The President is authorized and requested to issue proclamations (1) designating May 15 of each year as Peace Officers Memorial Day in honor of the Federal, State, and municipal officers who have been killed or disabled in the line of duty, (2) designating in each year the calendar week during which such May 15 occurs as Police Week, in recognition of the service given by the men and women who, night and day, stand guard in our midst to protect us through enforcement of our laws, and (3) inviting the governments of the States and communities and the people of the United States to observe such day and week with appropriate ceremonies and activities.

(Pub. L. 87-726, Oct. 1, 1962, 76 Stat. 676.)

§ 168. National School Lunch Week

The seven-day period beginning on the second Sunday of October in each year is designated as National School Lunch Week, and the President is requested to issue annually a proclamation calling on the people of the United States to observe such week with appropriate ceremonies and activities.

(Pub. L. 87-780, Oct. 9, 1962, 76 Stat. 779.)

§ 169. Wright Brothers Day

The 17th day of December of each year is hereby designated as "Wright Brothers Day", in commemoration of the first successful flights in a heavier than air, mechanically propelled airplane, which were made by Orville and Wilbur Wright on December 17, 1903, near Kitty Hawk, North Carolina. The President is authorized and requested to issue annually a proclamation inviting the people of the United States to observe such day with appropriate ceremonies and activities.

(Pub. L. 88-209, Dec. 17, 1963, 77 Stat. 402.)

§ 169a. Save Your Vision Week

The President of the United States is authorized and requested to issue annually a proclamation designating the first week in March of each year as "Save Your Vision Week", and inviting the Governors and mayors of State and local governments of the United States to issue similar proclamations. The President is further requested to consider including in such proclamation an invitation calling upon the press, radio, television, and other communications media, the health care professions and all other agencies and individuals concerned with programs for the improvement of vision to unite during such week in public activities to impress upon the people of the United States the importance of vision to their own welfare and that of our country, and to urge their support of programs to improve and protect the vision of Americans.

(Pub. L. 88-242, Dec. 30, 1963, 77 Stat. 629.)

§ 169b. American Heart Month

The President of the United States is authorized and requested to issue annually a proclamation (1) designating February as American Heart Month, (2) inviting the Governors of the States and territories of the United States to issue proclamations for like purposes, and (3) urging the people of the United States to give heed to the nationwide problem of the heart and blood vessel diseases, and to support all essential programs required to bring about its solution.

(Pub. L. 88-254, Dec. 30, 1963, 77 Stat. 843.)

§ 169c. Leif Erikson Day

The President of the United States is authorized to officially proclaim October 9 in each year as Leif Erikson Day.

(Pub. L. 88-566, Sept. 2, 1964, 78 Stat. 849.)

§ 169d. White Cane Safety Day

The President is hereby authorized to issue annually a proclamation designating October 15 as White Cane Safety Day and calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

(Pub. L. 88-628, Oct. 6, 1964, 78 Stat. 1003.)

§ 169e. Steelmark Month

The month of May of each year is hereby designated as "Steelmark Month" in recognition of the tremendous contribution made by the steel industry in the United States to the national security and defense of our country. The President is requested to issue a proclamation calling upon all people of the United States for the observance of such month with appropriate proceedings and ceremonies.

(Pub. L. 89-703, Nov. 2, 1966, 80 Stat. 1099.)

§ 169f. National Hispanic Heritage Week

The President is hereby authorized and requested to issue annually a proclamation designating the week including September 15 and 16 as "National Hispanic Heritage Week" and calling upon the people of the United States, especially the educational community, to observe such week with appropriate ceremonies and activities.

(Pub. L. 90-498, Sept. 17, 1968, 82 Stat. 848.)

§ 169g. Memorial Day as day of prayer for permanent peace

The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe each May 30, Memorial Day, by praying, each in accordance with his religious faith, for permanent peace; designating a period during such day in which all the people of the United States may unite in prayer for a permanent peace; calling upon all the people of the United States to unite in prayer at such time; and calling upon the newspapers, radio stations, and all other mediums of information to join in observing such day and period of prayer.

(May 11, 1950, ch. 182, 64 Stat. 158.)

§ 169h. National Day of Prayer

The President shall set aside and proclaim a suitable day each year, other than a Sunday, as a National Day of Prayer, on which the people of the United States may turn to God in prayer and meditation at churches, in groups, and as individuals.

(Apr. 17, 1952, ch. 216, 66 Stat. 64.)

CODIFICATION

Section was formerly classified to section 185 of this title.

CHAPTER 10—PATRIOTIC CUSTOMS

Sec.
170. National anthem; Star-Spangled Banner.
171. Conduct during playing.
172. Pledge of allegiance to the flag; manner of delivery.
173. Display and use of flag by civilians; codification of rules and customs; definition.
174. Time and occasions for display.
    (a) Display on buildings and stationary flagstaffs in open; night display.
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    (d) Particular days of display.
    (e) Display on or near administration building of public institutions.
    (f) Display in or near polling places.
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175. Position and manner of display.
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177. Conduct during hoisting, lowering or passing of flag.
178. Modification of rules and customs by President.
179. Design for service flag; persons entitled to display flag.
180. Design for service lapel button; persons entitled to wear button.
181. Approval of designs by Secretary of Defense; license to manufacture and sell; penalties.
182. Rules and regulations.
182a to 184. Repealed.
185. Transferred.
186. National motto.

§ 170. National anthem; Star-Spangled Banner

The composition consisting of the words and music known as The Star-Spangled Banner is designated the national anthem of the United States of America.

(Mar. 3, 1931, ch. 436, 46 Stat. 1508.)

CODIFICATION

Section was formerly classified to section 144 of this title.

§ 171. Conduct during playing

During rendition of the national anthem when the flag is displayed, all present except those in uniform should stand at attention facing the flag with the right hand over the heart. Men not in uniform should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should render the military salute at the first note of the anthem and retain this position until the last note. When the flag is not displayed, those present should face toward the music and act in the same manner they would if the flag were displayed there.

(June 22, 1942, ch. 435, § 6, 56 Stat. 380; Dec. 22, 1942, ch. 806, § 6, 56 Stat. 1077; July 7, 1976, Pub. L. 94-344, § 1(18), 90 Stat. 812.)

AMENDMENTS

1976—Pub. L. 94-344 added requirement that during the rendition of the national anthem when the flag is displayed, all persons present except those in uniform should stand at attention, face the flag, and place the right hand over the heart and men with headdress should remove the headdress and hold it at the left shoulder, the hand being over the heart and when the flag is not displayed, those present should face the music and act in the same manner they would if the flag were displayed.

1942—Act Dec. 22, 1942, substituted "all present should face the flag and salute", in last sentence, for "the salute to the flag should be given".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 178 of this title.

§ 172. Pledge of allegiance to the flag; manner of delivery

The Pledge of Allegiance to the Flag, "I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.", should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute.

(June 22, 1942, ch. 435, § 7, 56 Stat. 380; Dec. 22, 1942, ch. 806, § 7, 56 Stat. 1077; Dec. 28, 1945, ch. 607, 59 Stat. 668; June 14, 1954, ch. 297, 68 Stat. 249; July 7, 1976, Pub. L. 94-344, § 1(19), 90 Stat. 813.)

AMENDMENTS

1976—Pub. L. 94-344 added requirement that during rendition of the Pledge of Allegiance to the Flag, all persons should face the flag and men with headdress except those in uniform should remove their headdress and hold it at the left shoulder, the hand being over the heart.

1954—Act June 14, 1954, inserted "under God," in the pledge.

1945—Act Dec. 28, 1945, inserted "The following is designated as", inserted the period after "justice for all.", and deleted "is rendered by standing with the right hand over the heart." in the first sentence, and inserted sentence "Such pledge should be rendered by standing with the right hand over the heart."

1942—Act Dec. 22, 1942, deleted words: "extending the right hand, palm upward, toward the flag at the words 'to the flag' and holding this position until the end, when the hand drops to the side.", at end of first sentence.

Section Referred to in Other Sections

This section is referred to in section 178 of this title.

§ 173. Display and use of flag by civilians; codification of rules and customs; definition

The following codification of existing rules and customs pertaining to the display and use of the flag of the United States of America is established for the use of such civilians or civilian groups or organizations as may not be required to conform with regulations promulgated by one or more executive departments of the Government of the United States. The flag of the United States for the purpose of this chapter shall be defined according to sections 1 and 2 of title 4 and Executive Order 10834 issued pursuant thereto.

(June 22, 1942, ch. 435, § 1, 56 Stat. 377; Dec. 22, 1942, ch. 806, § 1, 56 Stat. 1074; July 7, 1976, Pub. L. 94-344, § 1(1), 90 Stat. 810.)

References in Text

This chapter, referred to in text, probably means chapter 435 of act June 22, 1942, 56 Stat. 380, which comprises sections 171 to 178 of this title.

Executive Order 10834, referred to in text, is set out as a note under section 1 of Title 4, Flag and Seal, Seat of Government, and the States.

Amendments

1976—Pub. L. 94-344 added provisions defining "flag of the United States" for purposes of this chapter according to sections 1 and 2 of title 4 and Executive Order 10834.

1942—Act Dec. 22, 1942, reenacted section without change.

Section Referred to in Other Sections

This section is referred to in section 178 of this title.

§ 174. Time and occasions for display

(a) Displays on buildings and stationary flagstaffs in open; night display

It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness.

(b) Manner of hoisting

The flag should be hoisted briskly and lowered ceremoniously.

(c) Inclement weather

The flag should not be displayed on days when the weather is inclement, except when an all weather flag is displayed.

(d) Particular days of display

The flag should be displayed on all days, especially on New Year's Day, January 1; Inauguration Day, January 20; Lincoln's Birthday, February 12; Washington's Birthday, third Monday in February; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Memorial Day (half-staff until noon), the last Monday in May; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, second Monday in October; Navy Day, October 27; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25; and such other days as may be proclaimed by the President of the United States; the birthdays of States (date of admission); and on State holidays.

(e) Display on or near administration building of public institutions

The flag should be displayed daily on or near the main administration building of every public institution.

(f) Display in or near polling places

The flag should be displayed in or near every polling place on election days.

(g) Display in or near schoolhouses

The flag should be displayed during school days in or near every schoolhouse.

(June 22, 1942, ch. 435, § 2, 56 Stat. 378; Dec. 22, 1942, ch. 806, § 2, 56 Stat. 1074; July 7, 1976, Pub. L. 94-344, § 1(2)-(5), 90 Stat. 810.)

Codification

Veterans Day was substituted for Armistice Day, to conform to the provisions of act June 1, 1954, ch. 250, 68 Stat. 168. See section 6103 of Title 5, Government Organization and Employees.

Amendments

1976—Subsec. (a). Pub. L. 94-344, § 1(2), substituted provision permitting display of the flag for 24 hours a day to produce a patriotic effect if flag is properly illuminated during the hours of darkness, for provision permitting night display of the flag upon special occasions when it is desired to produce a patriotic effect.

Subsec. (c). Pub. L. 94-344, § 1(3), added provision excepting display of all weather flag.

Subsec. (d). Pub. L. 94-344, § 1(4), eliminated references to "when the weather permits" following "displayed on all days" and "Army Day, April 6" preceding "Easter Sunday", added reference to "Armed Forces Day, third Saturday in May", and substituted "third Monday in February" for "February 22", "the last Monday in May" for "May 30", and "second Monday in October" for "October 12".

Subsec. (e). Pub. L. 94-344, § 1(5), struck out ",weather permitting," following "displayed daily".

1942—Subsec. (d). Act Dec. 22, 1942, substituted "fourth Thursday in November" for "last Thursday in November".

Valley Forge State Park, Pennsylvania; Display of Flag

Pub. L. 94-53, July 4, 1975, 89 Stat. 259, provided: "That, notwithstanding the rule or custom pertaining to the display of the flag of the United States of America between sunrise and sunset, as set forth in section 2(a) of the joint resolution, entitled, "Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America", approved June 22, 1942 (36 U.S.C. 174(a)) [subsec. (a) of this section], the flag of the United States of America may be flown for twenty-four hours of each day on the grounds of the National Memorial Arch in Valley Forge State Park, Valley Forge, Pennsylvania. The flag may not be flown pursuant to the authority contained in this Act during the hours from sunset to sunrise unless it is illuminated."

Flag House Square, Baltimore, Maryland; Display of Flag; Time

Act Mar. 26, 1954, ch. 109, 68 Stat. 35, provided:

"That notwithstanding any rule or custom pertaining to the display of the flag of the United States of America as set forth in the joint resolution entitled 'Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America', approved June 22, 1942, as amended [sections 171 to 178 of this title], authority is hereby conferred on the appropriate officer of the State of Maryland to permit the flying of the flag of the United States for twenty-four hours of each day in Flag House Square, Albemarle and Pratt Streets, Baltimore, Maryland.

"Sec. 2. Subject to the provisions of section 3 of the joint resolution of June 22, 1942, as amended [section 175 of this title], authority is also conferred on the appropriate officer of the State of Maryland to permit the flying of a replica of the flag of the United States which was in use during the War of 1812 for twenty-four hours of each day in Flag House Square, Albemarle and Pratt Streets, Baltimore, Maryland."

Lexington, Massachusetts; Display of Flag

Pub. L. 89-335, Nov. 8, 1965, 79 Stat. 1294, provided: "That, notwithstanding any rule or custom pertaining to the display of the flag of the United States of America as set forth in the joint resolution entitled 'Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America', approved June 22, 1942 (36 U.S.C. 171-178), the flag of the United States of America may be flown for twenty-four hours of each day on the green of the town of Lexington, Massachusetts. The flag may not be flown pursuant to the authority contained in this Act during the hours from sunset to sunrise unless it is illuminated."

Proc. No. 4064. Display of Flags at the Washington Monument

Proc. No. 4064, July 6, 1971, 36 F.R. 12967, provided:

The Washington Monument stands day and night as America's tribute to our first President. The fifty American flags that encircle the base of the Monument represent our fifty States and, at the same time, symbolize our enduring Federal Union.

As this Nation's 200th year approaches, I believe that it would do all Americans well to remember the years of our first President and to recall the enduring ideals of our Nation.

As an expression of our rededication to the ideals of America and in accordance with the joint resolution of Congress of June 22, 1942 (56 Stat. 377), as amended by the joint resolution of December 22, 1942, (56 Stat. 1074) [this section], which permits the flag to be displayed at night "upon special occasions when it is desired to produce a patriotic effect," it is appropriate that our national colors henceforth be displayed day and night at the Washington Monument.

Now, Therefore, I, Richard Nixon, President of the United States of America, do hereby proclaim that, effective July 4, 1971, the fifty flags of the United States of America displayed at the Washington Monument in the District of Columbia be flown at all times during the day and night, except when the weather is inclement.

The rules and customs pertaining to the display of the flag as set forth in the joint resolution of June 22, 1942, as amended [section 173 et seq. of this title], are hereby modified accordingly.

In Witness Whereof, I have hereunto set my hand this sixth day of July, in the year of our Lord nineteen hundred seventy-one, and of the Independence of the United States of America the one hundred ninety-sixth.

Richard Nixon.

Proc. No. 4131. Display of Flag at United States Customs Ports of Entry

Proc. No. 4131, May 5, 1972, 37 F.R. 9311, provided:

The flag of the United States should be one of the first things seen at our Customs ports of entry, both by American citizens returning from abroad and by travelers from other countries.

As the symbol of our country and our freedoms, the national colors of the United States provide a welcome greeting of warm promise.

Many people, however, enter our country at night when the flag is not flown, because of the nearly universal custom of displaying it only from sunrise to sunset.

Authority exists to amend that custom. A Congressional joint resolution of June 22, 1942 (56 Stat. 377), as amended (36 U.S.C. 173-178), permits the flag to be displayed at night "upon special occasions when it is desired to produce a patriotic effect."

I believe it is appropriate that returning citizens and visitors from other countries be welcomed by our flag whether they arrive at their ports of entry by night or by day.

Now, Therefore, I, Richard Nixon, President of the United States of America, do hereby proclaim that the flag of the United States of America shall hereafter be displayed at all times during the day and night, except when the weather is inclement, at United States Customs ports of entry which are continually open.

The rules and customs pertaining to the display of the flag, as set forth in the joint resolution of June 22, 1942, as amended, are hereby modified accordingly.

In Witness Whereof, I have hereunto set my hand this fifth day of May, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-sixth.

Richard Nixon.

Cross References

National observances, display of flag on, see section 141 et seq. of this title.

Section Referred to in Other Sections

This section is referred to in section 178 of this title.

§ 175. Position and manner of display

The flag, when carried in a procession with another flag or flags, should be either on the marching right; that is, the flag's own right, or, if there is a line of other flags, in front of the center of that line,

(a) The flag should not be displayed on a float in a parade except from a staff, or as provided in subsection (i) of this section.

(b) The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When the flag is displayed on a motorcar, the staff shall be fixed firmly to the chassis or clamped to the right fender.

(c) No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States of America, except during church services conducted by naval chaplains at sea, when the church pennant may be flown above the flag during church services for the personnel of the Navy. No person shall display the flag of the United Nations or any other national or international flag equal, above, or in a position of superior prominence or honor to, or in place of, the flag of the United States at any place within the United

States or any Territory or possession thereof: *Provided*, That nothing in this section shall make unlawful the continuance of the practice heretofore followed of displaying the flag of the United Nations in a position of superior prominence or honor, and other national flags in positions of equal prominence or honor, with that of the flag of the United States at the headquarters of the United Nations.

(d) The flag of the United States of America, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag.

(e) The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.

(f) When flags of States, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should always be at the peak. When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the United States flag's right.

(g) When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.

(h) When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half staff. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.

(i) When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.

(j) When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.

(k) When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the flag of the United States of America should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he faces the audience. Any other flag so displayed should be placed on the left of the clergyman or speaker or to the right of the audience.

(*l*) The flag should form a distinctive feature of the ceremony of unveiling a statue or monument, but it should never be used as the covering for the statue or monument.

(m) The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, then raised to the top of the staff. By order of the President, the flag shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of any State, territory, or possession of the United States, the Governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff. The flag shall be flown at half-staff thirty days from the death of the President or a former President; ten days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives; from the day of death until interment of an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and the following day for a Member of Congress. As used in this subsection—

(1) the term "half-staff" means the position of the flag when it is one-half the distance between the top and bottom of the staff;

(2) the term "executive or military department" means any agency listed under sections 101 and 102 of title 5; and

(3) the term "Member of Congress" means a Senator, a Representative, a Delegate, or the Resident Commissioner from Puerto Rico.

(n) When the flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered into the grave or allowed to touch the ground.

(o) When the flag is suspended across a corridor or lobby in a building with only one main entrance, it should be suspended vertically with the union of the flag to the observer's left upon entering. If the building has more than one main entrance, the flag should be suspended vertically near the center of the corridor or lobby with the union to the north, when entrances are to the east and west or to the east when entrances are to the north and south. If there are entrances in more than two directions, the union should be to the east.

(June 22, 1942, ch. 435, § 3, 56 Stat. 378; Dec. 22, 1942, ch. 806, § 3, 56 Stat. 1075; July 9, 1953, ch. 183, 67 Stat. 142; July 7, 1976, Pub. L. 94-344, § 1(6)-(11), 90 Stat. 810, 811.)

AMENDMENTS

1976—Subsec. (b). Pub. L. 94-344, § 1(6), substituted "right fender" for "radiator cap".

Subsec. (f). Pub. L. 94-344, § 1(7), substituted "to the United States flag's right." for "to the right of the flag of the United States.".

Subsec. (i). Pub. L. 94-344, § 1(8), substituted requirement that when the flag is displayed horizontally or vertically against a wall or in a window, the union should be uppermost and to the flag's own right for requirement that when the flag is displayed otherwise than from a staff, it should be displayed flat, whether indoors or out, or so suspended that it falls as free as though it were staffed.

Subsec. (k). Pub. L. 94-344, § 1(9), eliminated provisions relating to flag position when displayed on a staff in the chancel of a church or speaker's platform of an auditorium.

Subsec. (m). Pub. L. 94-344, § 1(10), added provisions relating to half-staff display of the flag on Memorial Day and upon the death of principal figures of the United States government and State governments and definitions of terms therein and eliminated provisions relating to the affixing of crepe streamers to spearheads and flagstaffs in a parade only on the order of the President.

Subsec. (o). Pub. L. 94-344, § 1(11), added subsec. (o).

1953—Subsec. (c). Act July 9, 1953, added second sentence.

1942—Subsecs. (i) and (m). Act Dec. 22, 1942 added "or so suspended that its folds fall as free as though the flag were staffed" to subsec. (i) and omitted therefrom provisions covering display against a wall or in a window, and substituted "lowering" for "hauling" in third sentence of subsec. (m).

Proc. No. 3044. Display of Flag at Half-Staff Upon Death of Certain Officials and Former Officials

Proc. No. 3044, Mar. 1, 1954, 19 F.R. 1235, as amended by Proc. No. 3948, Dec. 12, 1969, 34 F.R. 19699, provided:

WHEREAS it is appropriate that the flag of the United States of America be flown at half-staff on Federal buildings, grounds, and facilities upon the death of principal officials and former officials of the Government of the United States and the Governors of the States, Territories, and possessions of the United States as a mark of respect to their memory; and

WHEREAS it is desirable that rules be prescribed for the uniform observance of this mark of respect by all executive departments and agencies of the Government, and as a guide to the people of the Nation generally on such occasions:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America and Commander in Chief of the armed forces of the United States, do hereby prescribe and proclaim the following rules with respect to the display of the flag of the United States of America at half-staff upon the death of the officials hereinafter designated:

1. The flag of the United States shall be flown at half-staff on all buildings, grounds, and naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions for the period indicated upon the death of any of the following-designated officials or former officials of the United States:

(a) The President or a former President: for thirty days from the day of death.

The flag shall also be flown at half-staff for such period at all United States embassies, legations, and other facilities abroad, including all military facilities and naval vessels and stations.

(b) The Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives: for ten days from the day of death.

(c) An Associate Justice of the Supreme Court, a member of the Cabinet, a former Vice President, the President pro tempore of the Senate, the Majority Leader of the Senate, the Minority Leader of the Senate, the Majority Leader of the House of Representatives, or the Minority Leader of the House of Representatives: from the day of death until interment.

2. The flag of the United States shall be flown at half-staff on all buildings, grounds, and naval vessels of the Federal Government in the metropolitan area of the District of Columbia on the day of death and on the following day upon the death of a United States Senator, Representative, Territorial Delegate, or the Resident Commissioner from the Commonwealth of Puerto Rico, and it shall also be flown at half-staff on all buildings, grounds, and naval vessels of the Federal Government in the State, Congressional District, Territory, or Commonwealth of such Senator, Representative, Delegate, or Commissioner, respectively, from the day of death until interment.

3. The flag of the United States shall be flown at half-staff on all buildings and grounds of the Federal Government in a State, Territory, or possession of the United States upon the death of the Governor of such State, Territory, or possession from the day of death until interment.

4. In the event of the death of other officials, former officials, or foreign dignitaries, the flag of the United States shall be displayed at half-staff in accordance with such orders or instructions as may be issued by or at the direction of the President, or in accordance with recognized customs or practices not inconsistent with law.

5. The heads of the several departments and agencies of the Government may direct that the flag of the United States be flown at half-staff on buildings, grounds, or naval vessels under their jurisdiction on occasions other than those specified herein which they consider proper, and that suitable military honors be rendered as appropriate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 1st day of March in the year of our Lord nineteen hundred and fifty-four, and of the Independence of the United States of America the one hundred and seventy-eighth.

[SEAL] Dwight D. Eisenhower.

Flag House Square, Baltimore, Maryland; Display of Replica of Flag Used in War of 1812; Time

Display of replica of flag used in War of 1812 for twenty-four hours each day in Flag House Square, Baltimore, Maryland, as subject to this section, see note under section 174 of this title.

Section Referred to in Other Sections

This section is referred to in section 178 of this title.

§ 176. Respect for flag

No disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

(a) The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.

(b) The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.

(c) The flag should never be carried flat or horizontally, but always aloft and free.

(d) The flag should never be used as wearing apparel, bedding, or drapery. It should never be festooned, drawn back, nor up, in folds, but always allowed to fall free. Bunting of blue, white, and red, always arranged with the blue above, the white in the middle, and the red below, should be used for covering a speaker's desk, draping the front of the platform, and for decoration in general.

(e) The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.

(f) The flag should never be used as a covering for a ceiling.

(g) The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.

(h) The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.

(i) The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.

(j) No part of the flag should ever be used as a costume or athletic uniform. However, a flag patch may be affixed to the uniform of military personnel, firemen, policemen, and members of patriotic organizations. The flag represents a living country and is itself considered a living thing. Therefore, the lapel flag pin being a replica, should be worn on the left lapel near the heart.

(k) The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

(June 22, 1942, ch. 435, § 4, 56 Stat. 379; Dec. 22, 1942, ch. 806, § 4, 56 Stat. 1076; July 7, 1976, Pub. L. 94-344, § 1(12)-(16), 90 Stat. 812.)

Amendments

1976—Par. (a). Pub. L. 94-344, § 1(12), inserted reference to instances of extreme danger to life or property.

Par. (d). Pub. L. 94-344, § 1(13), added requirement that a flag should never be used as wearing apparel or bedding.

Par. (e). Pub. L. 94-344, § 1(14), substituted "to permit" for "will permit".

Par. (i). Pub. L. 94-344, § 1(15), eliminated provision that the flag should not be used on a costume or athletic uniform.

Par. (j). Pub. L. 94-344, § 1(16), added par. (j). Former par. (j) was redesignated as (k).

Par. (k). Pub. L. 94-344, § 1(16), redesignated former par. (j) as (k).

1942—Par. (g). Act Dec. 22, 1942, inserted "any" before "part".

Section Referred to in Other Sections

This section is referred to in section 178 of this title.

§ 177. Conduct during hoisting, lowering or passing of flag

During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, all persons present except those in uniform should face the flag and stand at attention with the right hand over the heart. Those present in uniform should render the military salute. When not in uniform, men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Aliens should stand at attention. The salute to the flag in a moving column should be rendered at the moment the flag passes.

(June 22, 1942, ch. 435, § 5, 56 Stat. 380; Dec. 22, 1942, ch. 806, § 5, 56 Stat. 1077; July 7, 1976, Pub. L. 94-344, § 1(17), 90 Stat. 812.)

Amendments

1976—Pub. L. 94-344 substituted in first sentence "with right hand over the heart" for ", and salute" and struck out "Men without hats should salute in the same manner." preceding "Aliens should" and "Women should salute by placing right hand over the heart." preceding "The salute to the flag".

1942—Act Dec. 22, 1942, substituted "military salute," for "right-hand salute" in second sentence, "should salute in the same manner," for "merely stand at attention" in fourth sentence, and added fifth sentence.

Cross References

Alien as used in Immigration and Nationality Act defined, see section 1101 of Title 8, Aliens and Nationality.

Section Referred to in Other Sections

This section is referred to in section 178 of this title.

§ 178. Modification of rules and customs by President

Any rule or custom pertaining to the display of the flag of the United States of America, set forth herein, may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander in Chief of the Armed Forces of the United States, whenever he deems it to be appropriate or desirable; and any such alteration or additional rule shall be set forth in a proclamation.

(June 22, 1942, ch. 435, § 8, 56 Stat. 380; Dec. 22, 1942, ch. 806, § 8, 56 Stat. 1077; July 7, 1976, Pub. L. 94-344, § 1(20), 90 Stat. 813.)

References in Text

Herein, referred to in text, means act June 22, 1942, which comprises sections 171 to 178 of this title.

Amendments

1976—Pub. L. 94-344 substituted "Armed Forces" for "Army and Navy".

1942—Act Dec. 22, 1942, reenacted section without change.

Proc. No. 2605. The Flag of the United States

Proc. No. 2605, Feb. 18, 1944, 9 F.R. 1957, 58 Stat. 1126, provided:

The flag of the United States of America is universally representative of the principles of the justice, liberty, and democracy enjoyed by the people of the United States; and

People all over the world recognize the flag of the United States as symbolic of the United States; and

The effective prosecution of the war requires a proper understanding by the people of other countries of the material assistance being given by the Government of the United States:

NOW, THEREFORE, by virtue of the power vested in me by the Constitution and laws of the United States, particularly by the Joint Resolution approved June 22, 1942, as amended by the Joint Resolution approved December 22, 1942 [sections 171 to 178 of this title], as President and Commander in Chief, it is hereby proclaimed as follows:

1. The use of the flag of the United States or any representation thereof, if approved by the Foreign Economic Administration, on labels, packages, cartons, cases, or other containers for articles or products of the United States intended for export as lend-lease aid, as relief and rehabilitation aid, or as emergency supplies for the Territories and possessions of the United States, or similar purposes, shall be considered a proper use of the flag of the United States and consistent with the honor and respect due to the flag.

2. If any article or product so labelled, packaged or otherwise bearing the flag of the United States or any representation thereof, as provided for in section 1, should, by force of circumstances, be diverted to the ordinary channels of domestic trade, no person shall be considered as violating the rules and customs pertaining to the display of the flag of the United States, as set forth in the Joint Resolution approved June 22, 1942, as amended by the Joint Resolution approved December 22, 1942 (U.S.C., Supp. II, title 36, secs. 171-178) for possessing, transporting, displaying, selling or otherwise transferring any such article or product solely because the label, package, carton, case, or other container bears the flag of the United States or any representation thereof.

PROC. NO. 4000. DISPLAY OF FLAG AT WHITE HOUSE

Proc. No. 4000, Set. 4, 1970, 35 F.R. 14187, provided:

WHEREAS the joint resolution of Congress of June 22, 1942, entitled "Joint Resolution to Codify and Emphasize Existing Rules and Customs Pertaining to the Display and Use of the Flag of the United States of America," as amended by the joint resolution of December 22, 1942, 56 Stat. 1074 [sections 173 to 178 of this title], contains the following provisions:

"Sec. 2. (a) It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, the flag may be displayed at night upon special occasions when it is desired to produce a patriotic effect.

* * * * *

"Sec. 8. Any rule or custom pertaining to the display of the flag of the United States of America, set forth herein, may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander in Chief of the Army and Navy of the United States, whenever he deems it to be appropriate or desirable; and any such alteration or additional rule shall be set forth in a proclamation."; and

WHEREAS the White House is a house that belongs to all the people; and

WHEREAS the White House, as the home of the President and his family, symbolizes the love of home and family which has long characterized our people; and

WHEREAS it is customary for many of our own citizens and many persons from other countries who visit our Nation's Capital to view the White House at night; and

WHEREAS it is thus appropriate that the flag be flown over the White House by night as well as by day:

Now, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim that the flag of the United States of America shall hereafter be displayed at the White House at all times during the day and night, except when the weather is inclement.

The rules and customs pertaining to the display of the flag as set forth in the joint resolution of June 22, 1942, as amended, are hereby modified accordingly.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of September, in the year of our Lord nineteen hundred and seventy, and of the Independence of the United States of America the one hundred and ninety-fifth.

RICHARD NIXON.

§ 179. Design for service flag; persons entitled to display flag

The Secretary of Defense is authorized and directed to approve a design for a service flag, which flag may be displayed in a window of the place of residence of persons who are members of the immediate family of a person serving in the armed forces of the United States during any period of war or hostilities in which the Armed Forces of the United States may be engaged.

(Oct. 17, 1942, ch. 615, § 1, 56 Stat. 796; May 27, 1953, ch. 70, 67 Stat. 35.)

AMENDMENTS

1953—Act May 27, 1953, substituted "Secretary of Defense" for "Secretary of War" and struck out the words "the current war" at the end of the section, inserting in lieu thereof the words "any period of war or hostilities in which the Armed Forces of the United States may be engaged".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 181, 182 of this title.

§ 180. Design for service lapel button; persons entitled to wear button

The Secretary of Defense is also authorized and directed to approve a design for a service lapel button, which button may be worn by members of the immediate family of a person serving in the armed forces of the United States during any period of war or hostilities in which the Armed Forces of the United States may be engaged.

(Oct. 17, 1942, ch. 615, § 2, 56 Stat. 796; May 27, 1953, ch. 70, 67 Stat. 35.)

AMENDMENTS

1953—Act May 27, 1953, substituted "Secretary of Defense" for "Secretary of War" and struck out the words "the current war" at the end of the section, inserting in lieu thereof the words "any period of war or hostilities in which the Armed Forces of the United States may be engaged".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 181, 182 of this title.

§ 181. Approval of designs by Secretary of Defense; license to manufacture and sell; penalties

Upon the approval by the Secretary of Defense of the design for such service flag and service lapel button, he shall cause notice thereof, together with a description of the approved flag and button, to be published in the Federal Register. Thereafter any person may apply to the Secretary of Defense for a license to manufacture and sell the approved service flag, or the approved service lapel button, or both. Any person, firm, or corporation who manufactures any such service flag or service lapel button without having first obtained such a license, or otherwise violates sections 179 to 182 of this title, shall, upon conviction thereof, be fined not more than $1,000.

(Oct. 17, 1942, ch. 615, § 3, 56 Stat. 796; May 27, 1953, ch. 70, 67 Stat. 35.)

AMENDMENTS

1953—Act May 27, 1953, substituted "Secretary of Defense" for "Secretary of War".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 182 of this title.

§ 182. Rules and regulations

The Secretary of Defense is authorized to make such rules and regulations as may be necessary to carry out the provisions of sections 179 to 182 of this title.

(Oct. 17, 1942, ch. 615, § 4, 56 Stat. 796; May 27, 1953, ch. 70, 67 Stat. 35.)

AMENDMENTS

1953—Act May 27, 1953, substituted "Secretary of Defense" for "Secretary of War".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 181 of this title.

§§ 182a to 182d. Repealed. Pub. L. 89-534, § 2, Aug. 11, 1966, 80 Stat. 345

Section 182a, acts Aug. 1, 1947, ch. 426, § 1, 61 Stat. 710; Aug. 21, 1951, ch. 339, 65 Stat. 195, related to the creation of the gold star lapel button and is now covered by section 1126 of Title 10, Armed Forces.

Section 182b, acts Aug. 1, 1947, ch. 426, § 2, 61 Stat. 710; Aug. 21, 1951, ch. 339, 65 Stat. 195, related to the eligibility for the gold star lapel button and is now covered by section 1126 of Title 10.

Section 182c, acts Aug. 1, 1947, ch. 426, § 3, 61 Stat. 710; Aug. 21, 1951, ch. 339, 65 Stat. 195, related to definitions with regard to the gold star lapel button and is now covered by section 1126 of Title 10.

Section 182d, acts Aug. 1, 1947, ch. 426, § 4, 61 Stat. 710; Aug. 21, 1951, ch. 339, 65 Stat. 195, related to penalties applicable for misuse of the gold star lapel button.

§§ 183, 184. Repealed. Pub. L. 85-857, § 14(84), Sept. 2, 1958, 72 Stat. 1272

Section 183, act Nov. 22, 1943, ch. 301, § 1, 57 Stat. 590, authorized a gift to the relative of a deceased member of the armed forces of the United States flag used at such members funeral and is now covered by section 901 of Title 38, Veterans' Benefits.

Section 184, act Nov. 22, 1943, ch. 301, § 2, 57 Stat. 591, authorized the prescription of regulations and appropriations for purposes of section 183 of this title.

EFFECTIVE DATE OF REPEAL

Repeal of sections by Pub. L. 85-857 effective Jan. 1, 1959, see section 2 of Pub. L. 85-857, set out as an Effective Date note preceding Part I of Title 38, Veterans' Benefits.

§ 185. Transferred

CODIFICATION

Section, act Apr. 17, 1952, ch. 216, 66 Stat. 64, which related to the National Day of Prayer, was transferred to section 169h of this title.

§ 186. National motto

The national motto of the United States is declared to be "In God we trust."

(July 30, 1956, ch. 795, 70 Stat. 732.)

CHAPTER 11—CIVIL AIR PATROL

Sec.
201. Corporation created.
202. Objects and purposes of corporation.
203. Membership.
204. Prohibition against issuance of stock or business activities; completion of organization.
205. Powers of corporation.
206. Exclusive right to name, insignia, copyrights, emblems and badges.
207. Reports to Congress.
208. Reservation of right to amend or repeal chapter.

§ 201. Corporation created

The following-named persons, to wit: Harold F. Wood, of Alabama; J. M. Morris, of Arizona; Rex P. Hayes, of Arkansas; Bertrand Rhine, of California; J. A. Smethills, of Colorado; W. T. Gilbert, of Connecticut; William J. Simpson, of Delaware; Zack T. Mosley, of Florida; J. L. Dobbins, of Georgia; Leverett Davis, of Idaho; Gordon A. DaCosta, of Illinois; Walker W. Winslow, of Indiana; Don C. Johnston, of Iowa; J. Howard Wilcox, of Kansas; W. S. Rinehart, of Kentucky; Richard G. Jones, of Louisiana; Guy P. Gannett, of Maine; Edward R. Fenimore, of Maryland; John Shennett, of Massachusetts; Ray R. Baker, of Michigan; Clayton N. Wulff, of Minnesota; J. R. Dowd, of Mississippi; L. W. Greene, of Missouri; Roy W. Milligan, of Montana; Rudy C. Mueller, of Nebraska; Eugene H. Howell, of Nevada; John F. Brown, of New Hampshire; Frank D. Carvin, of New Jersey; Lewis W. Graham, of New Mexico; Stuart C. Welch, of New York; Frank E. Dawson, of North Carolina; Irven A. Myhra, of North Dakota; George A. Stone, of Ohio; W. H. Shockey, of Oklahoma; G. Robert Dodson, of Oregon; Phillip F. Neuweiler, of Pennsylvania; Norris W. Rakestraw, of Rhode Island; Dexter C. Martin, of South Carolina; James R. Barnett, of South Dakota; W. C. Whelen, of Tennessee; D. Harold Byrd, of Texas; Joseph D. Bergin, of Utah; William V. Mason, of Vermont; Allan C. Perkinson, of Virginia; E. R. Schiller, of Washington; Hubert H. Stark, of West Virginia; John F. Stratton, of Wisconsin; and Albert W. Dickinson, Junior, of Wyoming, and their associates and successors, are incorporated and declared to be a body corporate by the name of the Civil Air Patrol (hereinafter referred to as the "corporation").

(July 1, 1946, ch. 527, § 1, 60 Stat. 346.)

REFERENCES IN TEXT

Hereinafter, referred to in text, means sections 2 to 8 of act July 1, 1946, which is classified to sections 202 to 208 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 204, 206 of this title.

§ 202. Objects and purposes of corporation

The objects and purposes of the corporation shall be—

(a) To provide an organization to encourage and aid American citizens in the contribution of their efforts, services, and resources in the development of aviation and in the maintenance of air supremacy, and to encourage and develop by example the voluntary contribution of private citizens to the public welfare;

(b) To provide aviation education and training especially to its senior and cadet members; to encourage and foster civil aviation in local communities and to provide an organization of private citizens with adequate facilities to assist in meeting local and national emergencies.

(July 1, 1946, ch. 527, § 2, 60 Stat. 346.)

CROSS REFERENCES

Citizenship clause, see Const. Amend. 14, § 1.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 201, 206 of this title; title 10 section 9441.

§ 203. Membership

Eligibility for membership in the corporation and the rights and privileges of members shall be determined according to the constitution and bylaws of the corporation: *Provided,* That the original members shall consist of the present Civil Air Patrol membership, numbering more than one hundred thousand senior and cadet members.

(July 1, 1946, ch. 527, § 3, 60 Stat. 346.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 201, 206 of this title.

§ 204. Prohibition against issuance of stock or business activities; completion of organization

(a) The corporation shall have no power to issue capital stock or engage in business for pecuniary profit or gain, its objects and purposes being solely of a benevolent character and not for the pecuniary profit or gain of its members.

(b) The persons named in section 201 of this title, their associates, and successors are authorized to complete the organization of the corporation by the selection of officers, the adoption of a constitution and bylaws, the promulgation of rules or regulations that may be necessary for the accomplishment of the purposes of this corporation, and the doing of such other acts as may be necessary for such purposes.

(July 1, 1946, ch. 527, § 4, 60 Stat. 347.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 201, 206 of this title.

§ 205. Powers of corporation

The corporation shall have perpetual succession and power—

(a) To sue and be sued;

(b) To acquire, hold, mortgage, and dispose of such real and personal property as may be necessary for its corporate purposes;

(c) To accept gifts, legacies, and devises which will further the corporate purposes;

(d) To adopt and alter a corporate seal;

(e) To adopt and alter a constitution, bylaws, rules and regulations, not inconsistent with law;

(f) To establish and maintain offices for the conduct of the affairs of the corporation in the District of Columbia and in the several States and Territories of the United States;

(g) To do any and all acts and things necessary and proper to carry into effect the objects and purposes of the corporation.

(July 1, 1946, ch. 527, § 5, 60 Stat. 347.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 201, 206 of this title.

§ 206. Exclusive right to name, insignia, copyrights, emblems and badges

The corporation shall have the sole and exclusive right to the name "Civil Air Patrol" and to have and to use, in carrying out its purposes, all insignia, copyrights, emblems and badges, descriptive or designating marks, and words or phrases now or prior to July 1, 1946 used by the Civil Air Patrol in carrying out its program: *Provided, however,* That no powers or privileges herein granted shall interfere or conflict with established or vested rights.

(July 1, 1946, ch. 527, § 6, 60 Stat. 347.)

REFERENCES IN TEXT

Herein, referred to in text, means act July 1, 1946, which enacted sections 201 to 208 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 201 of this title.

§ 207. Reports to Congress

The corporation shall make and transmit to Congress each year a report of its proceedings and activities for the preceding calendar year.

(July 1, 1946, ch. 527, § 7, 60 Stat. 347.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 201, 206 of this title.

§ 208. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(July 1, 1946, ch. 527, § 8, 60 Stat. 347.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 201, 206 of this title.

CHAPTER 12—RESERVE OFFICERS ASSOCIATION

Sec.
221. Corporation created.
222. Completion of organization.
223. Objects and purposes of corporation.
224. Powers of corporation.
225. Membership.
226. Officers of corporation.
227. National executive committee.
    (a) Composition.
    (b) Election of national officers; term of office; appointments.
    (c) Composition of national convention.
    (d) Composition of present national executive committee.
    (e) Voting.
228. Omitted.
229. Prohibition against issuance of stock or business activities.
230. Nonpolitical nature of corporation.
231. Distribution of income or assets to members.
232. Liability for acts of officers and agents.
233. Books and records; inspection.

Sec.
234. Loans to officers; liability of officers.
235. Repealed.
236. Headquarters; agent to accept service of process.
237. Agents for service of process.
238. Exclusive right to name, seals, emblems, and badges.
239. Reservation of right to amend or repeal chapter.

§ 221. Corporation created

The following-named persons, to wit, Colonel Clarence E. Barnes, Military Intelligence Reserve, Guthrie, Oklahoma; Colonel Henry G. Nulton, Infantry Reserve, 2 Broad Street, Elizabeth, New Jersey; Colonel Horace B. Hanson, Junior, Corps of Engineers Reserve, 700 Eighth Terrace, West Birmingham 4, Alabama; Brigadier General Donald B. Adams, Organized Reserve Corps, 391 Beachmont Drive, New Rochelle, New York; Commander John P. Bracken, United States Naval Reserve, 2107 Fidelity-Philadelphia Trust Building, Philadelphia 9, Pennsylvania; Captain Robert A. Hall, United States Marine Corps Reserve, 4229 Emerson Street, Dallas, Texas; Captain Jesse Draper, United States Naval Reserve, Grant Building, Atlanta, Georgia; Colonel Morris J. Brummer, United States Air Force Reserve, 2017 Mariposa Street, Fresno, California; Captain Milton Zacharias, United States Air Force Reserve, 241 North Broadview, Wichita, Kansas; Captain Richard L. Wynes, United States Air Force Reserve, 2360 Coates Street, Dubuque, Iowa; Lieutenant Colonel Thomas H. King, Judge Advocate Generals Corps, Reserve, 5024 Bradley Boulevard, Chevy Chase, Maryland; Major Guilford D. Cummings, Junior, Corps of Engineers Reserve, 2317 Stary Avenue, Schenectady, New York; Lieutenant Colonel Harry P. Abbott, Chaplain Reserve, 6510 Cautrell Road, Little Rock, Arkansas; Colonel Edward M. Silverberg, Dental Corps Reserve, 809 Republic Building, Denver 2, Colorado; Colonel Eugene P. Walters, Field Artillery Reserve, First Military Government Battalion, A.P.O. 154, care of Postmaster, New York, New York; Lieutenant Commander L. R. Smith, United States Naval Reserve, E. S. S.-INDGHQ-SCAP, A. P. O. 500, San Francisco, California; Colonel William H. Neblett, United States Air Force Reserve, 815 Fifteenth Street Northwest, Washington, District of Columbia; Brigadier General E. A. Evans, Organized Reserve Corps, 6336 Thirty-first Place Northwest, Washington, District of Columbia; Colonel C. M. Boyer, Honorary Reserve, 3518 South Utah Street, Fairlington, Virginia; Colonel John P. Oliver, Judge Advocates General Corps, Reserve, 4524 Fulton Avenue, Van Nuys, California; Colonel John T. Carlton, Armored Cavalry Reserve, 1617 Crestwood Drive, Alexandria, Virginia, their successors, and persons admitted to membership pursuant to the provisions of this chapter, are created a body corporate by the name of Reserve Officers Association of the United States (hereinafter referred to as the "corporation"), and by such name shall be known, and have perpetual succession and the powers, limitations, and restrictions contained in this chapter.

(June 30, 1950, ch. 431, § 1, 64 Stat. 312.)

Section Referred to in Other Sections

This section is referred to in section 222 of this title.

§ 222. Completion of organization

A majority of the persons named in section 221 of this title and other persons selected from the membership of the Reserve Officers Association of the United States, an unincorporated association with national headquarters in the District of Columbia, met in national convention in Denver, Colorado, on June 16, 17, 18, and 19, 1948, and then and there, by and through duly elected delegates, adopted a national constitution and bylaws, elected national officers for such association, and did other acts and things necessary to the organization and continuance of the association. Such meeting in national convention, and the doing of such acts and things, on such dates, shall be held and considered to be a completion of the corporate organization of the Reserve Officers Association of the United States, the corporation created by this chapter.

(June 30, 1950, ch. 431, § 2, 64 Stat. 313.)

§ 223. Objects and purposes of corporation

The object and purpose of the corporation shall be to support a military policy for the United States that will provide adequate national security and to promote the development and execution thereof.

(June 30, 1950, ch. 431, § 3, 64 Stat. 313.)

§ 224. Powers of corporation

The corporation shall have perpetual succession and power—

(1) to sue and be sued;

(2) to acquire, hold, lease, and dispose of such real and personal property as may be necessary to carry out the corporate object and purpose;

(3) to accept gifts, legacies, and devises in furtherance of the corporate object and purpose;

(4) to adopt and alter a corporate seal;

(5) to adopt and alter a constitution and bylaws not inconsistent with the laws of the United States or of any State;

(6) to establish, regulate, and discontinue subordinate departmental subdivisions and local chapters;

(7) to adopt and alter emblems and badges;

(8) to publish a newspaper, magazine, or other publications; and

(9) to do any and all acts and things necessary and proper to carry out the object and purpose of the corporation.

(June 30, 1950, ch. 431, § 4, 64 Stat. 313.)

§ 225. Membership

Eligibility for membership in the corporation shall be determined according to the constitution and bylaws of the corporation.

(June 30, 1950, ch. 431, § 5, 64 Stat. 313.)

§ 226. Officers of corporation

Officers of the corporation shall be a president, three vice presidents, three junior vice presidents, three national executive committeemen, an executive director, a national treasurer, judge advocate, surgeon, chaplain, historian, public relations officer, and such other officers as may be determined in national convention by the corporation.

(June 30, 1950, ch. 431, § 6, 64 Stat. 313.)

§ 227. National executive committee

(a) Composition

The governing body of the corporation shall be a national executive committee consisting of the president, the last past president, three vice presidents, three junior vice presidents, three national executive committeemen, and the executive director. Each of such persons constituting the national executive committee, except the executive director, shall have one vote upon all matters determined by the committee.

(b) Election of national officers; term of office; appointments

The national officers of the corporation shall be elected at an annual national convention and shall hold office for one year or until their successors have been duly elected and qualified, except the executive director, the national treasurer, and the national public relations officer, who shall be appointed by the national executive committee. In the event of the death, inability to serve, or resignation of any member of the national executive committee, other than the last past president or the president, the vacancy shall be filled by the existing members of the national executive committee. Any person appointed by the committee to fill a vacancy shall serve until the next national convention when his successor shall be elected for the unexpired term, if any, caused by the vacancy. The national vice president of the same service as the president shall assume the duties and have the powers of the president in the event of his death, inability to serve, resignation, or absence.

(c) Composition of national convention

The national convention shall be composed of delegates elected by the various departments.

(d) Composition of present national executive committee

The present national executive committee is composed of the following: Colonel Clarence E. Barnes, Military Intelligence Reserve, Guthrie, Oklahoma; Colonel William H. Neblett, United States Air Force Reserve, 815 Fifteenth Street Northwest, Washington, District of Columbia; Colonel Henry G. Nulton, Infantry Reserve, 2 Broad Street, Elizabeth, New Jersey; Commander John P. Bracken, United States Naval Reserve, 2107 Fidelity-Philadelphia Trust Building, Philadelphia 9, Pennsylvania; Colonel Morris J. Brummer, United States Air Force Reserve, 2017 Mariposa Street, Fresno, California; Colonel Horace B. Hanson, Junior, Corps of Engineers Reserve, 700 Eighth Terrace, West Birmingham 4, Alabama; Captain Robert A. Hall, United States Marine Corps Reserve, 4229 Emerson Street, Dallas, Texas; Captain Milton Zacharias, United States Air Force Reserve, 241 North Broadview, Wichita, Kansas; Brigadier General Donald B. Adams, Organized Reserve Corps, 391 Beachmont Drive, New Rochelle, New York; Captain Jesse Draper, United States Naval Reserve, Grant Building, Atlanta, Georgia; Captain Richard L. Wynes, United States Air Force Reserve, 2360 Coates Street, Dubuque, Iowa; and Brigadier General E. A. Evans, Organized Reserve Corps, 6336 Thirty-first Place Northwest, Washington, District of Columbia.

(e) Voting

In conducting the official business of any department or chapter each active member of such department or chapter shall have one vote.

(June 30, 1950, ch. 431, § 7, 64 Stat. 313.)

§ 228. Omitted

CODIFICATION

Section, act June 30, 1950, ch. 431, § 8, 64 Stat. 314, which authorized the corporation to acquire the assets and liabilities of the unincorporated association known as the Reserve Officers Association of the United States, was omitted from the Code as executed.

§ 229. Prohibition against issuance of stock or business activities

The corporation shall have no power to issue capital stock or to engage in business for pecuniary profit or gain.

(June 30, 1950, ch. 431, § 9, 64 Stat. 314.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 230. Nonpolitical nature of corporation

The corporation, and its members and officers as such, shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

(June 30, 1950, ch. 431, § 10, 64 Stat. 314.)

§ 231. Distribution of income or assets to members

No part of the income or assets of the corporation shall inure to any member or officer thereof, or be distributable to any such person except upon dissolution and final liquidation of the corporation when, after the discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation shall be divided equally among the then active members and officers.

(June 30, 1950, ch. 431, § 11, 64 Stat. 314.)

§ 232. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(June 30, 1950, ch. 431, § 12, 64 Stat. 314.)

§ 233. Books and records; inspection

The corporation shall keep current and complete books and records of account and shall also keep minutes of the proceedings of the national conventions, the national executive committee, and the national council. It shall keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time.

(June 30, 1950, ch. 431, § 13, 64 Stat. 314.)

§ 234. Loans to officers; liability of officers

The corporation shall not make any loans to its officers or members of the national executive committee. Any member of the national executive committee who votes for or assents to the making of a loan or advance to an officer of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(June 30, 1950, ch. 431, § 14, 64 Stat. 314.)

§ 235. Repealed. Pub. L. 88–504, § 4(12), Aug. 30, 1964, 78 Stat. 637

Section, act June 30, 1950, ch. 431, § 15, 64 Stat. 315, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 236. Headquarters; agent to accept service of process

The national headquarters of the corporation shall be located in the District of Columbia. The corporation shall maintain at all times in the District a designated agent authorized to accept service of legal process for the corporation. Notice to or service upon such agent shall be deemed to be notice to or service upon the corporation.

(June 30, 1950, ch. 431, § 16, 64 Stat. 315.)

Federal Rules of Civil Procedure

Service of process upon agent of domestic or foreign corporation, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 237. Agents for service of process

As a condition precedent to the exercise of any power or privilege granted or conferred under this chapter, the corporation shall file in the office of the secretary of state, or similar officer, in each State and in each Territory or possession of the United States, in which subordinate departments and local chapters are organized, the name and post office address of an authorized agent in such State upon whom legal process or demands against the corporation may be served.

(June 30, 1950, ch. 431, § 17, 64 Stat. 315.)

Federal Rules of Civil Procedure

Service of process upon agent of domestic or foreign corporation, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 238. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate departmental subdivisions and local chapters shall have the sole and exclusive right to have, and to use in carrying out its object and purpose, the name of "Reserve Officers Association of the United States" and such seals, emblems, and badges as the corporation may lawfully adopt.

(June 30, 1950, ch. 431, § 18, 64 Stat. 315.)

§ 239. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(June 30, 1950, ch. 431, § 19, 64 Stat. 315.)

CHAPTER 13—NATIONAL ACADEMY OF SCIENCES

Sec.

251. Corporation created.
252. Powers of corporation.
253. Meeting; duties; expenses and compensation.
254. Acquisition of property by devise, bequest, donation, or otherwise; limitation of real estate.

§ 251. Corporation created

Louis Agassiz, Massachusetts; J. H. Alexander, Maryland; S. Alexander, New Jersey; A. D. Bache, at large; F. B. Barnard, at large; J. G. Barnard, United States army, Massachusetts; W. H. C. Bartlett, United States Military Academy, Missouri; U. A. Boyden, Massachusetts; Alexis Caswell, Rhode Island; William Chauvenet, Missouri; J. H. C. Coffin, United States Naval Academy, Maine; J. A. Dahlgren, United States navy, Pennsylvania; J. D. Dana, Connecticut; Charles H. Davis, United States navy, Massachusetts; George Engelmann, St. Louis, Missouri; J. F. Frazer, Pennsylvania; Wolcott Gibbs, New York; J. M. Gilless, United States navy, District of Columbia; A. A. Gould, Massachusetts; B. A. Gould, Massachusetts; Asa Gray, Massachusetts; A. Guyot, New Jersey; James Hall, New York; Joseph Henry, at large; J. E. Hilgard, at large, Illinois; Edward Hitchcock, Massachusetts; J. S. Hubbard, United States naval observatory, Connecticut; A. A. Humphreys, United States army, Pennsylvania; J. L. Le Conte, United States army, Pennsylvania; J. Leidy, Pennsylvania; J. P. Lesley, Pennsylvania; M. F. Longstreth, Pennsylvania; D. H. Mahan, United States Military Academy, Virginia; J. S. Newberry, Ohio; H. A. Newton, Connecticut; Benjamin Peirce, Massachusetts; John Rodgers, United States navy, Indiana; Fairman Rogers, Pennsylvania; R. E. Rogers, Pennsylvania; W. B. Rogers, Massachusetts; L. M. Rutherford, New York; Joseph Saxton, at large; Benjamin Silliman, Connecticut; Benjamin Silliman, junior, Connecticut; Theodore Strong, New Jersey; John Torrey, New York; J. G. Totten, United States army, Connecticut; Joseph Winlock, United States Nautical Almanac, Kentucky; Jeffries Wyman, Massachusetts; J. D. Whitney, California, their associates and successors duly chosen, are incorporated, constituted, and declared to be a body corporate, by the name of the National Academy of Sciences.

(Mar. 3, 1863, ch. 111, § 1, 12 Stat. 806.)

§ 252. Powers of corporation

The National Academy of Sciences shall have power to make its own organization, including its constitution, by-laws, and rules and regulations; to fill all vacancies created by death, resignation, or otherwise; to provide for the election of foreign and domestic members, the division into classes, and all other matters needful or usual in such institution, and to report the same to Congress.

(Mar. 3, 1863, ch. 111, § 2, 12 Stat. 806; July 14, 1870, ch. 264, 16 Stat. 277.)

CODIFICATION

Provisions which limited the National Academy of Sciences to not more than fifty ordinary members were omitted by act July 14, 1870.

§ 253. Meeting; duties; expenses and compensation

The National Academy of Sciences shall hold an annual meeting at such place in the United States as may be designated, and the academy shall, whenever called upon by any department of the Government, investigate, examine, experiment, and report upon any subject of science or art, the actual expense of such investigations, examinations, experiments, and reports, to be paid from appropriations which may be made for the purpose, but the academy shall receive no compensation whatever for any services to the Government of the United States.

(Mar. 3, 1863, ch. 111, § 3, 12 Stat. 806.)

EX. ORD. NO. 2859. NATIONAL RESEARCH COUNCIL OF NATIONAL ACADEMY OF SCIENCES

Ex. Ord. No. 2859, May 11, 1918, as amended by Ex. Ord. No. 10668, May 10, 1956, 21 F.R. 3155, provided:

Whereas the National Research Council (hereinafter referred to as the Council) was organized in 1916 at the request of the President by the National Academy of Sciences, under its congressional charter, as a measure of national preparedness; and

Whereas in recognition of the work accomplished by the National Academy of Sciences through the Council in organizing research, in furthering science, and in securing cooperation of government and non-government agencies in the solution of their problems, the Council has been perpetuated by the Academy as requested by the President in Executive Order No 2859 of May 11, 1918; and

Whereas the effective prosecution of the Council's work requires the close cooperation of the scientific and technical branches of the Government, both military and civil, and makes representation of the Government on the Council desirable:

Now, therefore, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

1. The functions of the Council shall be as follows:

(a) In general, to stimulate research in the mathematical, physical, and biological sciences, and in the application of these sciences to engineering, agriculture, medicine, and other useful arts, with the object of increasing knowledge, of strengthening the national defense, and of contributing in other ways to the public welfare.

(b) To survey the broad possibilities of science, to formulate comprehensive projects of research, and to develop effective means of utilizing the scientific and technical resources of the country for dealing with such projects.

(c) To promote cooperation in research, at home and abroad, in order to secure concentration of effort, minimize duplication, and stimulate progress; but in all cooperative undertakings to give encouragement to individual initiative, as fundamentally important to the advancement of science.

(d) To serve as a means of bringing American and foreign investigators into active cooperation with the scientific and technical services of the Department of Defense and of the civil branches of the Government.

(e) To direct the attention of scientific and technical investigators to the importance of military and industrial problems in connection with national defense, and to aid in the solution of these problems by organizing specific researches.

(f) To gather and collate scientific and technical information, at home and abroad, in cooperation with governmental and other agencies, and to render such information available to duly accredited persons.

2. The Government shall be represented on the Council by members who are officers or employees of specified departments and agencies of the executive branch of the Government. The National Academy of Sciences shall specify, from time to time, the departments and agencies from which Government members shall be designated, and shall determine from time to time, the number of Government members who shall be designated from each such department and agency. The head of each such specified department or agency shall designate the officers and employees from his department or agency, in such numbers as the National Academy of Sciences shall determine, who shall be members of the Council, but shall designate only those persons who are acceptable to the Academy.

This order shall not be construed as terminating the tenure of any person who has heretofore been designated as a member of the Council.

DWIGHT D. EISENHOWER.

§ 254. Acquisition of property by devise, bequest, donation, or otherwise; limitation of real estate

The National Academy of Sciences, incorporated by this chapter, be, and the same is, authorized and empowered to receive, by devise, bequest, donation, or otherwise, either real or personal property, and to hold the same absolutely or in trust, and to invest, reinvest, and manage the same in accordance with the provisions of its constitution, and to apply said property and the income arising therefrom to the objects of its creation and according to the instructions of the donors: *Provided, however,* That the Congress may at any time limit the amount of real estate which may be acquired and the length of time the same may be held by said National Academy of Sciences.

(June 20, 1884, ch. 107, 23 Stat. 50; May 27, 1914, ch. 101, § 1, 38 Stat. 383.)

CODIFICATION

Section was not enacted as a part of act Mar. 3, 1863, which comprises this chapter.

Act May 27, 1914, extended the right to receive property.

RESERVATION OF RIGHT TO ALTER, AMEND, OR REPEAL

Section 2 of act May 27, 1914, provided: "That the right to alter, amend, or repeal this Act [this section] is hereby expressly reserved."

CHAPTER 14—FUTURE FARMERS OF AMERICA

Sec.

271. Corporation created.
272. Omitted.
273. Objects and purposes of corporation.
274. Powers of corporation.
275. Headquarters; territorial scope of activities; agent to accept service of process.
276. Membership; voting rights.
277. National officers.
    (a) Composition.
    (b) Board of student officers.
    (c) Election of officers.
    (d) Vote at national convention.
278. Board of directors.
    (a) Composition.
    (b) Term of office.
    (c) Meetings.
    (d) Governing committee.
    (e) Transition board.
279. Income and assets of corporation.
    (a) Distribution.

Sec.
(b) Loans to officers, directors, or employees.
(c) Prizes, awards, etc., for student officers and members meeting criteria for benefits.
280. Nonpolitical nature of corporation.
281. Liability for acts of officers and agents.
282. Prohibition against issuance of stock or payment of dividends.
283. Books and records; inspection.
284. Repealed.
285. Use of assets on dissolution or liquidation.
286. Exclusive right to name, emblems, seals, and badges.
287. Agents for service of process.
288. Availability of personnel, services, and facilities of Office of Education.
289. Omitted.
290. Effective date.
291. Reservation of right to amend or repeal chapter.

§ 271. Corporation created

The following persons: William T. Spanton, Washington, District of Columbia; Dudley M. Clements, College Park, Maryland; Herbert B. Swanson, Washington, District of Columbia; R. Edward Naugher, Arlington, Virginia; Elmer J. Johnson, Arlington, Virginia; Rodolph D. Anderson, Columbia, South Carolina; Earl H. Little, Concord, New Hampshire; Bert L. Brown, Olympia, Washington; and Ralph A. Howard, Columbus, Ohio, are created a body corporate by the name of Future Farmers of America (hereinafter referred to as the "corporation") and by such name shall be known and have perpetual succession and the powers and limitations contained in this chapter.

(Aug. 30, 1950, ch. 823, § 1, 64 Stat. 563.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 278, 290 of this title.

§ 272. Omitted

CODIFICATION

Section, act Aug. 30, 1950, ch. 823, § 2, 64 Stat. 563, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 273. Objects and purposes of corporation

The objects and purposes of the corporation shall be—

(1) to create, foster, and assist subsidiary chapters composed of students and former students of vocational agriculture in public schools qualifying for Federal reimbursement under the Smith-Hughes Vocational Education Act [20 U.S.C. 11 et seq.] or the Vocational Education Act of 1946, and associations of such chapters in the several States and Territories of the United States;

(2) to develop character, train for useful citizenship, and foster patriotism, and thereby to develop competent, aggressive rural and agricultural leadership;

(3) to create and nurture a love of country life by encouraging members to improve the farm home and its surroundings, to develop organized rural recreational activities, and to create more interest in the intelligent choice of farming occupations;

(4) to encourage the practice of thrift;

(5) to procure for and distribute to State associations, local chapters, and members all official Future Farmers of America supplies and equipment;

(6) to publish an official magazine and other publications for the members of the corporation;

(7) to strengthen the confidence of farm boys and young men in themselves and their work, to encourage members in the development of individual farming programs, and to promote their permanent establishment in farming by (a) encouraging improvement in scholarship; (b) providing prizes and awards to deserving students who have achieved distinction in vocational agriculture, including farm mechanics activities on a local, State, or national basis; and (c) assisting financially, through loans or grants, deserving students in all-day vocational agriculture classes and young farmers under thirty years of age who were former students in all-day vocational agriculture classes in becoming satisfactorily established in a farming occupation; and

(8) to cooperate with others, including State boards for vocational education, in accomplishing the above purposes; and to engage in such other activities, consistent with the foregoing purposes, determined by the governing body to be for the best interests of the corporation.

(Aug. 30, 1950, ch. 823, § 3, 64 Stat. 563.)

REFERENCES IN TEXT

The Smith-Hughes Vocational Education Act, referred to in par. (1), is act Feb. 23, 1917, ch. 114, 39 Stat. 929, which is classified to sections 11 to 15 and 16 to 28 of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 11 of Title 20 and Tables volume.

The Vocational Education Act of 1946, referred to in par. (1), is act June 8, 1936, ch. 541, 49 Stat. 1488, which was classified to sections 15h to 15q, 15aa to 15jj, and 15aaa to 15ggg of Title 20, Education, and was repealed by section 103 of Pub. L. 90-576, title I, Oct. 16, 1968, 82 Stat. 1091.

§ 274. Powers of corporation

The corporation shall have power—

(1) to sue and be sued, complain, and defend in any court of competent jurisdiction;

(2) to adopt, use, and alter a corporate seal;

(3) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(4) to adopt and alter bylaws and regulations, not inconsistent with the laws of the United States or any State in which such corporation is to operate, for the management of its property and the regulation of its affairs, including the establishment and maintenance of local chapters and State associations of chapters;

(5) to contract and be contracted with;

(6) to take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects and accomplishing the purposes of the corporation, subject to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real and personal

property by, a corporation operating in such State;

(7) to transfer and convey real or personal property;

(8) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, subject to all applicable provisions of Federal or State law;

(9) to use the corporate funds to give prizes, awards, loans, and grants to deserving students and young farmers for the purposes set forth in section 273 of this title;

(10) to publish a magazine and other publications;

(11) to procure for and distribute to State associations, local chapters, and members all official Future Farmers of America supplies and equipment;

(12) to adopt emblems and badges; and

(13) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

(Aug. 30, 1950, ch. 823, § 4, 64 Stat. 564.)

§ 275. Headquarters; territorial scope of activities; agent to accept service of process

The headquarters and principal offices of the corporation shall be located in the District of Columbia, but the activities of the corporation shall not be confined to that place but may be conducted throughout the various States, Territories, and possessions of the United States. The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service of process for the corporation, such designation to be filed in the office of the clerk of the United States District Court for the District of Columbia. Notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed sufficient notice or service upon the corporation.

(Aug. 30, 1950, ch. 823, § 5, 64 Stat. 565.)

FEDERAL RULES OF CIVIL PROCEDURE

Service of process upon agent of domestic or foreign corporation, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 276. Membership; voting rights

Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this chapter, be determined according to the bylaws of the corporation. In the conduct of official business of any local chapter each member shall have one vote. In the conduct of the official business of any State association each qualified delegate of a local chapter shall have one vote.

(Aug. 30, 1950, ch. 823, § 6, 64 Stat. 565.)

§ 277. National officers

(a) Composition

The national officers of the corporation shall be a student president, four student vice presidents (one from each of four regions of the United States established in the bylaws for purposes of administration of the corporation), a student secretary, an executive secretary, a treasurer, and a national advisor.

(b) Board of student officers

The national student officers of the corporation shall comprise a board of student officers. It shall be the duty of such board to advise and make recommendations to the board of directors with respect to the conduct of the activities and business of the corporation.

(c) Election of officers

The national officers of the corporation shall be elected annually by a majority vote of the delegates assembled in the annual national convention from among qualified members of the corporation, except that the national advisor shall be the Chief of the Agricultural Education Service, Office of Education, Department of Health, Education, and Welfare, the executive secretary shall be a member of that service, and the treasurer shall be an employee or member of a State agency that directs or supervises a State program of agricultural education under the provisions of the Smith-Hughes Vocational Education Act [20 U.S.C. 11 et seq.] or the Vocational Education Act of 1946.

(d) Vote at national convention

In the conduct of the business of the annual national convention each qualified delegate shall have one vote.

(Aug. 30, 1950, ch. 823, § 7, 64 Stat. 565; 1953 Reorg. Plan. No. 1, §§ 5, 8, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631.)

REFERENCES IN TEXT

The Smith-Hughes Vocational Education Act, referred to in subsec. (c), is act Feb. 23, 1917, ch. 114, 39 Stat. 929, which is classified to sections 11 to 15 and 16 to 28 of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 11 of Title 20 and Tables volume.

The Vocational Education Act of 1946, referred to in subsec. (c), is act June 8, 1936, ch. 541, 49 Stat. 1488, which was classified to sections 15h to 15q, 15aa to 15jj, and 15aaa to 15ggg of Title 20, Education, and was repealed by section 103 of Pub. L. 90-576, title I, Oct. 16, 1968, 82 Stat. 1091.

TRANSFER OF FUNCTIONS

All functions of the Federal Security Administrator were transferred to the Secretary of Health, Education, and Welfare and all agencies of the Federal Security Agency were transferred to the Department of Health, Education, and Welfare by section 5 of Reorg. Plan No. 1 of 1953, set out in the Appendix to Title 5, Government Organization and Employees. The Federal Security Agency and the office of Administrator were abolished by section 8 of the Reorg. Plan No. 1 of 1953.

§ 278. Board of directors

(a) Composition

The governing body of the corporation, which shall exercise the powers herein granted to the corporation, shall be a board of directors composed of: (1) the Chief of the Agricultural Education Service, Office of Education, Department of Health, Education, and Welfare, who shall act as chairman; (2) four staff members in the Agricultural Education Service, Office of Education, Department of Health, Education, and Welfare; and (3) four State supervisors of agricultural education.

(b) Term of office

The terms of office of members of the board and the method of selection of such members, other than ex officio members, shall be prescribed by the bylaws of the corporation.

(c) Meetings

The board shall meet at least once each year at such time and place as may be prescribed by the bylaws. The annual report of the board shall be presented at such meeting. Special meetings of the board may be called at any time by the chairman.

(d) Governing committee

The board may designate the chairman and two members of his staff as a governing committee which, when the board is not in session, shall have and exercise the powers of the board subject to its direction and have the power to authorize the seal of the corporation to be affixed to all papers which may require it.

(e) Transition board

The board of directors which shall serve until the first board is selected as provided in this chapter shall be composed of the nine persons named in section 271 of this title.

(Aug. 30, 1950, ch. 823, § 8, 64 Stat. 565; 1953 Reorg. Plan. No. 1, §§ 5, 8, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631.)

TRANSFER OF FUNCTIONS

All functions of the Federal Security Administrator were transferred to the Secretary of Health, Education, and Welfare and all agencies of the Federal Security Agency were transferred to the Department of Health, Education, and Welfare by section 5 of Reorg. Plan No. 1 of 1953, set out in the Appendix to Title 5, Government Organization and Employees. The Federal Security Agency and the office of Administrator were abolished by section 8 of Reorg. Plan No. 1 of 1953.

§ 279. Income and assets of corporation

(a) Distribution

No part of the income or assets of the corporation shall inure to any member, officer, or director, or be distributable to any such person except upon dissolution and final liquidation of the corporation as provided in section 285 of this title.

(b) Loans to officers, directors, or employees

The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation, and any officer who participates in the making of such a loan shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(c) Prizes, awards, etc., for student officers and members meeting criteria for benefits

This section shall not preclude prizes, awards, grants, or loans to student officers and members meeting the criteria established by the board of directors for selecting recipients of such benefits.

(Aug. 30, 1950, ch. 823, § 9, 64 Stat. 566.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 280. Nonpolitical nature of corporation

The corporation, and its members, officers, and directors, as such, shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

(Aug. 30, 1950, ch. 823, § 10, 64 Stat. 566.)

§ 281. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Aug. 30, 1950, ch. 823, § 11, 64 Stat. 566.)

§ 282. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares or stock, or to declare or pay any dividends, its objects and purposes being solely educational.

(Aug. 30, 1950, ch. 823, § 12, 64 Stat. 566.)

§ 283. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, the board of directors, and committees having any authority under the board of directors; and it shall also keep a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member or his agent or attorney at any reasonable time.

(Aug. 30, 1950, ch. 823, § 13, 64 Stat. 566.)

§ 284. Repealed. Pub. L. 88-504, § 4(13), Aug. 30, 1964, 78 Stat. 637

Section, act Aug. 30, 1950, ch. 823, § 14, 64 Stat. 566, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 285. Use of assets on dissolution or liquidation

Upon final dissolution or liquidation of the corporation and after the discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation shall be used by the board of directors for the benefit of students of vocational agriculture, or be transferred to some recognized educational foundation.

(Aug. 30, 1950, ch. 823, § 15, 64 Stat. 566.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 279 of this title.

§ 286. Exclusive right to name, emblems, seals, and badges

The corporation, and its duly authorized chapters and associations of chapters, shall have the sole and exclusive right to use the name of Future Farmers of America and the initials FFA as representing an agricultural membership organization and such seals, emblems, and badges as the corporation may lawfully adopt.

(Aug. 30, 1950, ch. 823, § 16, 64 Stat. 566.)

§ 287. Agents for service of process

As a condition precedent to the exercise of any power or privilege granted to the corporation under this chapter, the corporation shall file in the Office of the Secretary of State, or similar officer, in each State and in each Territory or possession of the United States in which subordinate associations or chapters are organized the name, and post office address of an authorized agent in such State, Territory, or possession upon whom legal process or demands against the corporation may be served.

(Aug. 30, 1950, ch. 823, § 17, 64 Stat. 567.)

Federal Rules of Civil Procedure

Agent authorized by appointment or law to receive service of process, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 288. Availability of personnel, services, and facilities of Office of Education

The United States Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, is authorized to make available personnel, services, and facilities of the Office of Education requested by the board of directors of the corporation to administer or assist in the administration of the business and activities of the corporation. The personnel of the Office of Education shall not receive any compensation from the corporation for their services, except that travel and other legitimate expenses as defined by the Commissioner of Education and approved by the board of directors of the corporation may be paid. The Commissioner, with the approval of the Secretary, is also authorized to cooperate with the State boards for vocational education to assist in the promotion of the activities of the corporation.

(Aug. 30, 1950, ch. 823, § 18, 64 Stat. 567; 1953 Reorg. Plan No. 1, §§ 5, 8, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631.)

Transfer of Functions

All functions of the Federal Security Administrator were transferred to the Secretary of Health, Education, and Welfare and all agencies of the Federal Security Agency were transferred to the Department of Health, Education, and Welfare by section 5 of Reorg. Plan No. 1 of 1953, set out in the Appendix to Title 5, Government Organization and Employees. The Federal Security Agency and the Office of Administrator were abolished by section 8 of Reorg. Plan No. 1 of 1953.

§ 289. Omitted

Codification

Section, act Aug. 30, 1950, ch. 823, § 19, 64 Stat. 567, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of Virginia known as the Future Farmers of America and also of the corporation organized under the laws of the District of Columbia known as the Future Farmers of America Foundation, Incorporated, was omitted from the Code as executed.

§ 290. Effective date

The provisions of this chapter shall take effect on the filing, in the office of the clerk of the United States District Court for the District of Columbia of affidavits signed by the incorporators named in section 271 of this title to the effect that the Virginia corporation known as the Future Farmers of America has been dissolved in accordance with law, but only if such affidavits are filed within one year from August 30, 1950.

(Aug. 30, 1950, ch. 823, § 20, 64 Stat. 567.)

§ 291. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Aug. 30, 1950, ch. 823, § 21, 64 Stat. 567.)

CHAPTER 15—MILITARY CHAPLAINS ASSOCIATION OF THE UNITED STATES OF AMERICA

Sec.
311. Corporation created.
312. Omitted.
313. Purpose of corporation.
314. Powers of corporation.
315. Omitted.
316. Exclusive right to name.
317. Reports to Congress.

§ 311. Corporation created

Alva J. Brasted, of Virginia; Henry Darlington, of New York; Simpson B. Daugherty, of Pennsylvania; Monroe Drew, Junior, of California; Clifford M. Drury, of California; Harold G. Elsam, of Illinois; Edward L. R. Elson, of California; Ira S. Ernst, of the District of Columbia; Joshua L. Goldberg, of New York; Augustus S. Goodyear, of New York; Cecil H. Lang, of Texas; Daniel Lynch, of Massachusetts; Arlington A. McCallum, of the District of Columbia; John W. McQueen, of Alabama; Cyrus W. Perry, of New York; Frederick C. Reynolds, of Maryland; George F. Rixey, of Missouri; Patrick J. Ryan, of California; Harris E. Starr, of Connecticut; Gustav Stearns, of Wisconsin; Edward J. Smith, of Iowa; Francis V. Sullivan, of Massachusetts; John M. Thomas, of Vermont; Edmund W. Weber, of Minnesota; Robert J. White, of Maine; Julian E. Yates, of the District of Columbia; Nils M. Ylvisaker, of Minnesota; and their successors, who are, or who may become, members of The Military Chaplains Association of the United States of America, a national association of chaplains and former chaplains of the armed services, and such national associations are created and declared to be a body corporate by the name of "The Military Chaplains Association of the United States of America".

(Sept. 20, 1950, ch. 956, § 1, 64 Stat. 868.)

§ 312. Omitted

Codification

Section, act Sept. 20, 1950, ch. 956, § 2, 64 Stat. 868, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 313. Purpose of corporation

The purpose of this corporation shall be:

(a) To safeguard and to strengthen the forces of faith and morality of our Nation; (b) to perpetuate and to deepen the bonds of understanding and friendship of our military service; (c) to preserve our spiritual influence and interest in all members and veterans of the armed forces; (d) to uphold the Constitution of the United States; and (e) to promote justice, peace, and good will.

(Sept. 20, 1950, ch. 956, § 3, 64 Stat. 868.)

§ 314. Powers of corporation

The corporation (a) shall have perpetual succession; (b) shall have power to make its own organization, including its constitution, bylaws, rules, and regulations; (c) may adopt a corporate seal and alter it at pleasure; (d) may establish and maintain offices for the conduct and transaction of its business; (e) may appoint or elect officers and agents; (f) may authorize the executive committee to conduct the business and exercise the powers of the corporation; (g) may publish a magazine or other publications; (h) may charge and collect membership dues, subscription fees, and receive contributions of money or property to be devoted to the carrying out of the purposes of the organization; (i) may acquire by purchase, devise, bequest, gift, or otherwise, and hold, encumber, convey, or otherwise dispose of, such real and personal property as may be necessary or appropriate for its corporate purposes; (j) may sue and be sued; and (k) generally may do any and all lawful acts necessary or appropriate to carry out the purposes for which the corporation is created.

(Sept. 20, 1950, ch. 956, § 4, 64 Stat. 868.)

§ 315. Omitted

CODIFICATION

Section, act Sept. 20, 1950, ch. 956, § 5, 64 Stat. 869, which authorized the corporation to acquire the assets and liabilities of the association known as the Military Chaplains Association of the United States of America, was omitted from the Code as executed.

§ 316. Exclusive right to name

Said corporation and its area, State, and local chapters shall have the sole and exclusive right to have and to use in carrying out its purpose the name "The Military Chaplains Association of the United States of America".

(Sept. 20, 1950, ch. 956, § 6, 64 Stat. 869.)

§ 317. Reports to Congress

The corporation shall, on or before the 1st day of September in each year, transmit to Congress a report of its proceedings for the preceding calendar year. Such reports shall not be printed as public documents.

(Sept. 20, 1950, ch. 956, § 7, 64 Stat. 869; Aug. 30, 1964, Pub. L. 88-504, § 4(14), 78 Stat. 637.)

AMENDMENTS

1964—Pub. L. 88-504 deleted ", including the full and complete statement of its receipts and expenditures" following "calendar year".

CHAPTER 16—AMERICAN SOCIETY OF INTERNATIONAL LAW

Sec.
341. Corporation created.
342. Purposes of corporation; restrictions as to profits and political activities.
343. Executive council and officers.
344. Principal office and territorial scope of activities.
345. Corporate succession and powers.
346. Liability for acts of officers and agents; agent to accept service of process.
347. Prohibition against issuance of stock, dividends or loans to officers or members of executive council.
348. Books and records; inspection.
349. Repealed.
350. Duration of corporation.
351. Omitted.
352. Reservation of right to amend or repeal chapter.

§ 341. Corporation created

The following persons, citizens of the United States and members of the executive council of the unincorporated association known as the American Society of International law, to wit: Manley O. Hudson, of Cambridge, Massachusetts, president of the said society; Dean G. Acheson, of Washington, District of Columbia, honorary president of the same; George A. Finch, of Chevy Chase, Maryland; Edwin D. Dickinson, of Philadelphia, Pennsylvania; and Philip C. Jessup, of New York, New York; vice presidents of the same; Philip Marshall Brown, of Washington, District of Columbia; Frederic R. Coudert, of New York, New York; William C. Dennis, of Richmond, Indiana; Charles G. Fenwick, of Washington, District of Columbia; Cordell Hull, of Washington, District of Columbia; Charles Cheney Hyde, of New York, New York; Robert H. Jackson, of McLean, Virginia; Arthur K. Kuhn, of New York, New York; George C. Marshall, of Leesburg, Virginia; Henry L. Stimson, of New York, New York; Elbert D. Thomas, of Salt Lake City, Utah; Charles Warren, of Washington, District of Columbia; George Grafton Wilson, of Cambridge, Massachusetts; and Lester H. Woolsey, of Chevy Chase, Maryland; honorary vice presidents of the said society; Edward Dumbauld, of Uniontown, Pennsylvania, secretary; and Edgar Turlington, of Chevy Chase, Maryland, treasurer of the same; Edward W. Allen, of Seattle, Washington; Mary Agnes Brown, of Washington, District of Columbia; Florence Brush, of Bronxville, New York; Kenneth S. Carlston, of Urbana, Illinois; Ben M. Cherrington, of Denver, Colorado; Percy E. Corbett, of New Haven Connecticut; Willard B. Cowles, of Lincoln, Nebraska; William S. Culbertson, of Washington, District of Columbia; John S. Dickey, of Hanover, New Hampshire; Alwyn V. Freeman, of Los Angeles, California; Ernest A. Gross, of Manhasset, New York; Stanley K. Hornbeck, of Washington, District of Columbia; A. Brunson MacChesney, of Chicago, Illinois; William Manger, of Washington, District of Columbia; Charles E. Martin, of Seattle, Washington; John Brown Mason, of Oberlin, Ohio; Myres S. McDougal, of New Haven, Connecticut; Hans J. Morgenthau, of Chicago, Illinois; Durward V. Sandifer, of Chevy Chase, Maryland; Francis B. Sayre, of Washington, District of Columbia; Carl B. Spaeth, of Palo Alto, California; Robert B. Stewart, of Medford, Massachusetts; and Albert C. F. Westphal, of Albuquerque, New Mexico; and such other persons as are now members of the said society, and their successors, are created and declared to be a body corporate, by the name of The American Society of International Law.

(Sept. 20, 1950, ch. 958, § 1, 64 Stat. 869.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 343 of this title.

§ 342. Purposes of corporation; restrictions as to profits and political activities

The purposes of the corporation are and shall be to foster the study of international law and to promote the establishment and maintenance of international relations on the basis of law and justice. The corporation shall not be operated for profit, and no part of its income or assets shall inure to any of its members, or its officers or other members of its executive council, or be distributable thereto otherwise than upon dissolution or final liquidation of the corporation. The corporation, and its officers and other members of its executive council shall not, as such, contribute to or otherwise support or assist any political party or candidate for elective public office.

(Sept. 20, 1950, ch. 958, § 2, 64 Stat. 870.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 343. Executive council and officers

The governing board of the corporation, subject to the directions of the corporation at its annual meetings and at such other meetings as may be called pursuant to the provisions of its constitution, bylaws, and regulations, hereinafter mentioned, shall be an executive council consisting of a president, an honorary president, a number of vice presidents and honorary vice presidents to be determined by the constitution of the corporation, a secretary, a treasurer, and not less than twenty-four additional persons. The officers of the corporation and one-third of the other members of the executive council shall be elected at each annual meeting of the corporation: *Provided, however,* That the executive council may be authorized by the constitution of the corporation to elect the secretary and the treasurer of the corporation for specified terms and to fill vacancies until the next annual meeting of the corporation. The number of members of the executive council shall initially be forty-four, and the members of the said council shall initially be the persons whose names and addresses are set forth in section 341 of this title.

(Sept. 20, 1950, ch. 958, § 3, 64 Stat. 870.)

§ 344. Principal office and territorial scope of activities

The corporation shall have its principal office in the District of Columbia and shall have the right to conduct its activities in the said District and at any other place or places in the United States.

(Sept. 20, 1950, ch. 958, § 4, 64 Stat. 871.)

NATIONAL HEADQUARTERS

Pub. L. 86-208, Aug. 25, 1959, 73 Stat. 431, provided: "That the American Society of International Law, incorporated by the Act entitled 'An Act to incorporate the American Society of International Law, and for other purposes', approved September 20, 1950 (Public Law 794, ch. 958, Eighty-first Congress, second session (64 Stat. 869)) [this chapter], is authorized to use the real estate described as lot 805 square 2512, situated in the city of Washington, District of Columbia, as the national headquarters of such society."

§ 345. Corporate succession and powers

The corporation shall have succession by its corporate name and shall have power to sue and be sued, complain and defend in any court of competent jurisdiction; to adopt, use, and alter a corporate seal; to choose such officers, managers, and agents as its business may require; to adopt, amend, apply, and administer a constitution, bylaws, and regulations, not inconsistent with the laws of the United States of America or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs; to contract and be contracted with; to take and hold by lease, gift, purchase, grant, devise, or bequest, in full title, in trust, or otherwise, any property, real or personal, necessary for attaining the objects and carrying into effect the purposes of the corporation, subject however, to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real and personal property by a corporation operating in such State; to transfer and convey real or personal property; to borrow money for the purposes of the corporation, and issue bonds therefor, and secure the same by mortgage subject in every case to all applicable provisions of Federal or State laws; to publish a journal and other publications, and generally to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

(Sept. 20, 1950, ch. 958, § 5, 64 Stat. 871.)

§ 346. Liability for acts of officers and agents; agent to accept service of process

The corporation shall be liable for the acts of its officers and agents. It shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Sept. 20, 1950, ch. 958, § 6, 64 Stat. 871.)

FEDERAL RULES OF CIVIL PROCEDURE

Service of process upon agent of domestic or foreign corporation, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 347. Prohibition against issuance of stock, dividends or loans to officers or members of executive council

The corporation shall not issue shares of stock, nor declare or pay dividends, nor make loans or advances to its officers or members of its executive council or any of them. Any member of its executive council who votes for or assents to the making of a loan or advance to an officer of the corporation or to a member of its executive council, and any officer or officers participating in the making of any such loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan or advance until the repayment thereof.

(Sept. 20, 1950, ch. 958, § 7, 64 Stat. 871.)

§ 348. Books and records; inspection

The corporation shall keep correct and complete books and records of account. It shall also keep minutes of the proceedings of its members, executive council, and committees having any of the authority of the said council. It shall also keep at its principal office a record giving the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member or his agent or attorney, for any proper purpose, at any reasonable time.

(Sept. 20, 1950, ch. 958, § 8, 64 Stat. 872.)

§ 349. Repealed. Pub. L. 88-504, § 4(15), Aug. 30, 1964, 78 Stat. 637

Section, act Sept. 20, 1950, ch. 958, § 9, 64 Stat. 872, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 350. Duration of corporation

The duration of the corporation shall be perpetual.

(Sept. 20, 1950, ch. 958, § 10, 64 Stat. 872.)

§ 351. Omitted

CODIFICATION

Section, act Sept. 20, 1950, ch. 958, § 11, 64 Stat. 872, which authorized the corporation to acquire the assets and liabilities of the unincorporated association known as the American Society of International Law, was omitted from the Code as executed.

§ 352. Reservation of right to amend or repeal chapter

The right to alter, repeal, or amend this chapter is expressly reserved to Congress.

(Sept. 20, 1950, ch. 958, § 12, 64 Stat. 872.)

CHAPTER 17—UNITED STATES OLYMPIC COMMITTEE

Sec.
371. Corporation created; principal offices; meetings.
372. Omitted.
373. Objects and purposes of corporation.
374. Powers of corporation.
375. Membership.
376. Nonpolitical nature of corporation.
377. Prohibition against issuance of stock or business activities.
378. Omitted.
379. Penalty for fraudulent pretense of membership or use of insignia.
380. Agents for service of process.
381. Reservation of right to amend or repeal chapter.
382. Reports to Congress.
383. Change in name of United States Olympic Association.

§ 371. Corporation created; principal offices; meetings

The following persons, to wit:

Avery Brundage, New York City, New York; Kenneth L. Wilson, Chicago, Illinois; Asa S. Bushnell, Princeton, New Jersey; Owen V. Van Camp, Chicago, Illinois; Gustavus T. Kirby, Bedford Hills, New York; John T. McGovern, New York City, New York; J. Lyman Bingham, Chicago, Illinois; Daniel J. Ferris, New York City, New York; Thomas J. Hamilton, Pittsburgh, Pennsylvania; Thomas W. Herren, Washington, District of Columbia; Willis O. Hunter, Los Angeles, California; Jeremiah T. Mahoney, New York City, New York; T. Nelson Metcalf, Chicago, Illinois; Charles L. Ornstein, New York City, New York; James A. Rhodes, Columbus, Ohio; Albert Sigal, Atherton, California; H. Jamison Swarts, Philadelphia, Pennsylvania; Albert F. Wheltle, Baltimore, Maryland; Robert A. Fetzer, Chapel Hill, North Carolina; Karl E. Leib, Iowa City, Iowa; Frank G. McCormick, Minneapolis, Minnesota; Alfred R. Masters, Stanford University, California; E. L. Romney, Salt Lake City, Utah; E. Joseph Aronoff, Washington, District of Columbia; Richard E. Cross, Detroit, Michigan; Charles L. Diehm, New York City, New York; Ralph Furey, New York City, New York; Harry D. Henshel, New York City, New York; John B. Kelly, Senior, Philadelphia, Pennsylvania; Richard C. Larkins, Columbus, Ohio; Fred C. Matthaei, Detroit, Michigan; Colonel Frederick R. Weber, West Point, New York; Hugh C. Willett, Los Angeles, California; Lawrence J. Johnson, Boston, Massachusetts; Patrick J. Kelly, New York City, New York; R. Max Ritter, Jenkintown, Pennsylvania; Fred L. Steers, Chicago, Illinois; Williard N. Greim, Denver, Colorado; General Douglas MacArthur, Tokyo, Japan; Joseph E. Raycroft, Princeton, New Jersey; Frederick W. Rubien, Manhasset, New York; John J. Raskob, New York City, New York; Frank P. Callahan, Schenectady, New York; William S. Haddock, Pittsburgh, Pennsylvania; J. W. Mitchell, Little Rock, Arkansas; William F. Bailey, High Point, North Carolina; Herman J. Fischer, Chicago, Illinois; R. J. H. Kiphuth, New Haven, Connecticut; Edward Rosenblum, Washington, District of Columbia; Ben York, West Palm Beach, Florida; Seymour Leiberman, Houston, Texas; Paul Jordan, Indianapolis, Indiana; Mrs. Lillian Y. Whiting, Des Moines, Iowa; A. Wood Hardin, New Albany, Indiana; Douglas F. Roby, Detroit, Michigan; Marion H. Miller, Kansas City, Missouri; Edwin F. Schaefer, Buffalo, New York; James A. Lee, Cleveland, Ohio; Robert C. Greenwade, Blackwell, Oklahoma; Charles Gevecker, St. Louis, Missouri; Roscoe C. Torrance, Seattle, Washington; Louis G. Wilke, Denver, Colorado; Doctor Barry J. Barrodale, Houma, Louisiana; Larry Houston, Los Angeles, California; C. W. Striet, Junior, Birmingham, Alabama; Norton G. Pritchett, Charlottesville, Virginia; Dernell Every, New York City, New York; Vaughn S. Blanchard, Detroit, Michigan; Major General Guy V. Henry, Chevy Chase, Maryland; George Edwards, Columbia, Missouri; John J. Fox, Larchmont, New York; Harold R. Gilbert, State College, Pennsylvania; Frank Small, Bayside, Long Island, New York; Colonel John T. Cole, Bell Haven, Alexandria, Virginia; Miguel de Capriles, Pleasantville, New York; Alexis Thompson, New York City, New York; Henry M. Beatty, Cleveland, Ohio; Roy E. Moore, New York City, New York; Mrs. Roberta Bonniwell, Philadelphia, Pennsylvania; Harry Hainsworth, Buffalo, New York; Major General William C. Rose, Washington, District of Columbia; Major General M. A. Edson, Montpelier, Vermont; Clifford Goes, New York City, New York; Joseph J. Barriskill, New York City, New York; Senator Peter J. Miller, Chicago, Illinois; Charles O. Roeser, Lansdowne, Pennsylvania; Mrs. Elsie Veits Jennings, New York City, New York; William C. Ackerman, Los Angeles, California; Robert J. Kane, Ithaca, New York; Mrs. Irvin Van Blarcom, Wichita, Kansas; Jay Ehret Mahoney, New York City, New York; John Terpak, York, Pennsylvania; Eric F. Pohl, San Antonio, Texas; Thomas F. Lennon, New York City, New York; Dietrich Wortmann, New York City, New York; Reaves E. Peters, Kansas City, Missouri; John M. Harmon, Boston, Massachusetts; George E. Little, New Brunswick, New Jersey; Arthur E. Eilers, St. Louis, Missouri; James H. Stewart, Dallas, Texas; Harry N. Keighley, Evanston, Illinois; Doctor G. Randolph Manning, New York City, New York; Harold T. Friermood, New York City, New York; Earl R. Yeomans, Philadelphia, Pennsylvania; and their associates and successors, are created a body corporate by the name of "United States Olympic Committee" (hereinafter referred to as the "corporation"). The corporation shall maintain its principal offices and national headquarters in the city of Washington, District of Columbia, and may hold its annual and special meetings in such places as the said incorporators shall determine.

(Sept. 21, 1950, ch. 975, § 1, 64 Stat. 899; Aug. 10, 1964, Pub. L. 88-407, 78 Stat. 383.)

CHANGE OF NAME

"United States Olympic Committee" was substituted for "United States Olympic Association" on authority of Pub. L. 88-407, which is set out as section 383 of this title.

§ 372. Omitted

CODIFICATION

Section, act Sept. 21, 1950, ch. 975, § 2, 64 Stat. 900, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as Executed.

§ 373. Objects and purposes of corporation

The objects and purposes of the corporation shall be—

(1) to arouse and maintain the interest of the people of the United States in, and to obtain their support of, creditable and sportsmanlike participation and representation of the United States in the Olympic Games and the Pan-American Games;

(2) to stimulate the interest of the people, particularly of the youth, of the United States, in healthful, physical, moral and cultural education through sportsmanlike participation in competitions in accordance with amateur rules;

(3) to exercise exclusive jurisdiction, either directly or through its constituent members or committees, over all matters pertaining to the participation of the United States in the Olympic Games and in the Pan-American Games, including the representation of the United States in such games, and over the organization of the Olympic Games and the Pan-American Games when celebrated in the United States;

(4) to select and obtain for the United States the most competent amateur representation possible in the competitions and events of the Olympic Games and of the Pan-American Games;

(5) to maintain the highest ideals of amateurism and to promote general interest therein, particularly in connection with the Olympic Games and the Pan-American Games;

(6) to install and develop in the youth of America the qualities of courage, self-reliance, honesty, tolerance, and like virtues; and

(7) to promote and encourage the physical, moral, and cultural education of the youth of the United States to the end that their health, patriotism, character, and good citizenship may be fully developed.

(Sept. 21, 1950, ch. 975, § 3, 64 Stat. 900.)

§ 374. Powers of corporation

The corporation shall have perpetual succession and power—

(1) to organize, select, finance, and control the representation of the United States in the competitions and events of the Olympic Games and of the Pan-American Games and to appoint committees or other governing bodies in connection with such representation;

(2) to sue and be sued;

(3) to make contracts;

(4) to acquire, hold, and dispose of such real and personal property as may be necessary for its corporate purposes;

(5) to accept gifts, legacies, and devises in furtherance of its corporate purposes;

(6) to borrow money to carry out its corporate purposes, issue notes, bonds, or other evidences of indebtedness therefor, and secure the same by mortgage, subject in each case to the laws of the United States or of any State;

(7) to establish, regulate, and discontinue subordinate organizations, and to receive and expel as members of the corporation such existing organizations of a patriotic, educational, civic, or athletic character, as may be deemed desirable and proper to carry out the corporate purposes;

(8) to adopt and alter a corporate seal;

(9) to adopt and alter a constitution and bylaws not inconsistent with the laws of the United States or of any State;

(10) to establish and maintain offices for the conduct of the affairs of the corporation;

(11) to publish a newspaper, magazine, or other publication consistent with its corporate purposes; and

(12) to do any and all acts and things necessary and proper to carry out the purposes of the corporation.

(Sept. 21, 1950, ch. 975, § 4, 64 Stat. 901.)

§ 375. Membership

Eligibility for membership in the corporation shall be determined in accordance with the constitution and bylaws of the corporation.

(Sept. 21, 1950, ch. 975, § 5, 64 Stat. 901.)

§ 376. Nonpolitical nature of corporation

The corporation shall be nonpolitical and, as an organization, shall not promote the candidacy of any person seeking public office.

(Sept. 21, 1950, ch. 975, § 6, 64 Stat. 901.)

§ 377. Prohibition against issuance of stock or business activities

The corporation shall have no power to issue capital stock or to engage in business for pecuniary profit or gain.

(Sept. 21, 1950, ch. 975, § 7, 64 Stat. 901.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 378. Omitted

CODIFICATION

Section, act Sept. 21, 1950, ch. 975, § 8, 64 Stat. 901, which authorized the corporation to acquire the assets and liabilities of the unincorporated association known as The United States Olympic Association, was omitted from the Code as executed.

§ 379. Penalty for fraudulent pretense of membership or use of insignia

From and after September 21, 1950, it shall be unlawful for any person within the jurisdiction of the United States to falsely or fraudulently hold himself out as or represent or pretend himself to be a member of or an agent for the United States Olympic Committee or its subordinate organizations for the purpose of soliciting, collecting, or receiving money or material; or for any person to wear or display the insignia thereof for the fraudulent purpose of inducing the belief that he is at such time a member of or an agent for the United States Olympic Committee or its subordinate organizations. It shall be unlawful for any person, corporation, or association, other than the United States Olympic Committee or its subordinate organizations and its duly authorized employees and agents for the purpose of trade, theatrical exhibition, athletic performance, and competition or as an advertisement to induce the sale of any article whatsoever or attendance at any theatrical exhibition, athletic performance, and competition or for any business or charitable purpose to use within the territory of the United States of America and its exterior possessions, the emblems of the United States Olympic Committee consisting of an escutcheon having a blue chief and vertically extending alternate red and white bars on the base with five interlocked rings displayed on the chief, or any other sign or insignia made or colored in imitation thereof, or the words "Olympic", "Olympiad", or "Citius Altius Fortius" or any combination of these words: *Provided, however,* That any person, corporation, or association that actually used, or whose assignor actually used, the said emblem, sign, insignia, or words for any lawful purpose prior to September 21, 1950, shall not be deemed forbidden by this chapter to continue the use thereof for the same purpose and for the same class or classes of goods to which said emblem, sign, insignia, or words had been used lawfully prior thereto. If any person violates the provision of this section he shall be deemed guilty of a misdemeanor, and upon conviction in any Federal court shall be liable to fine of not less than $100 or more than $500 or imprisonment for a term not exceeding 1 year, or both, for each and every offense.

(Sept. 21, 1950, ch. 975, § 9, 64 Stat. 901; Aug. 10, 1964, Pub. L. 88-407, 78 Stat. 383.)

CHANGE OF NAME

"United States Olympic Committee" was substituted for "United States Olympic Association" on authority of Pub. L. 88-407, which is set out as section 383 of this title.

CROSS REFERENCES

Felony and misdemeanor defined, see section 1 of Title 18, Crimes and Criminal Procedure.

§ 380. Agents for service of process

As a condition precedent to the exercise of any power or privilege granted or conferred under this chapter, the corporation shall file in the office of the secretary of state, or similar officer, in each State the name and post-office address of an authorized agent of the corporation in such State upon whom local process or demands against the corporation may be served.

(Sept. 21, 1950, ch. 975, § 10, 64 Stat. 902.)

FEDERAL RULES OF CIVIL PROCEDURE

Service of process upon agent of domestic or foreign corporation, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 381. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter at any time is expressly reserved.

(Sept. 21, 1950, ch. 975, § 11, 64 Stat. 902.)

§ 382. Reports to Congress

The corporation shall, on or before the 1st day of September in each year, transmit to Congress a report of its proceedings for the preceding calendar year. Such reports shall not be printed as public documents.

(Sept. 21, 1950, ch. 975, § 12, 64 Stat. 902; Aug. 30, 1964, Pub. L. 88-504, § 4(16), 78 Stat. 637.)

AMENDMENTS

1964—Pub. L. 88-504 deleted ", including the full and complete statement of its receipts and expenditures" following "calendar year".

§ 383. Change in name of United States Olympic Association

The corporation known as the United States Olympic Association, which was incorporated by this chapter, shall be known and designated on and after August 10, 1964, as the United States Olympic Committee and any reference to such corporation under the name of the United States Olympic Association shall be held to refer to such corporation under and by the name of the United States Olympic Committee.

(Pub. L. 88-407, Aug. 10, 1964, 78 Stat. 383.)

CODIFICATION

Section was not enacted as part of act Sept. 21, 1950, ch. 975, 64 Stat. 899, which comprises this chapter.

CHAPTER 18—NATIONAL CONFERENCE OF STATE SOCIETIES, WASHINGTON, DISTRICT OF COLUMBIA

Sec.

401. Corporation created.
402. Purposes of corporation.
403. Powers of corporation.
404. Headquarters; territorial scope of activities; agent to accept service of process.
405. Membership.
406. Officers.
407. Board of representatives.
  (a) Composition; power.
  (b) Election of officers; term of office.
  (c) Composition of first board.
408. Omitted.
409. Distribution of income or assets to members.
410. Propaganda activities prohibited.
411. Nonpolitical nature of corporation.
412. Liability for acts of officers and agents.
413. Books and records; inspection.
414. Prohibition against issuance of stock or payment of dividends.
415. Loans to officers; liability of officers.
416. Repealed.
417. Use of assets on dissolution or liquidation.
418. Exclusive right to name, seals, emblems, and badges.
419. Agents for service of process.
420. Definition of "State".
421. Reservation of right to amend or repeal chapter.

§ 401. Corporation created

The following named persons:

Honorable Albert Rains, Gadsden, Alabama; Miss Ruth James, Gadsden, Alabama; Hoyt G. Irving, 512 Hoatson Street, Warren, Arizona; Miss Mary Capps, Nogales, Arizona; Claude M. Hirst, Prescott, Arkansas; Mrs. Gertrude Scott, 1123 Stratford Avenue, South Pasadena, California; Howard W. Scott, Box 122, Palisade, Colorado; Benjamin Sherman, Hartford, Connecticut; Miss Catherine Flynn, Meriden, Connecticut; Honorable J. Caleb Boggs, 1250 Kynlyn Drive, Wilmington, Delaware; Mrs. Ruth F. Henderson, Seaford, Delaware; Charles A. Henderson, Seaford, Delaware; Charles G. Lavin, Jacksonville, Florida; Miss Utha Gray Smith, Orange Court Hotel, Orlando, Florida; Colonel K. N. Parkinson, Blackfoot, Idaho; Honorable Addison T. Smith, Twin Falls, Idaho;

Arnold M. Lederer, 5222 North Christiana Avenue, Chicago, Illinois; Miss Charlotte A. Marr, 6327 North Okato Avenue, Chicago, Illinois; Honorable Ralph Harvey, Rural Route 4, Newcastle, Indiana; Honorable Charles A. Halleck, 604 Jefferson Street, Rensselaer, Indiana; Mrs. Esther Costa, Indianapolis, Indiana; Honorable Bourke Blakemore Hickenlooper, Cedar Rapids, Iowa; Honorable Ben Franklin Jensen, Exira, Iowa; Honorable Andrew F. Schoeppel, 115 South Rutan Avenue, Wichita, Kansas; Charles H. Helsper, 1199 West Street, Topeka, Kansas; Robert W. Salyers, 1801 South Third Street, Louisville, Kentucky; F. M. Broussard, Lafayette, Louisiana; Paul Jones, Winfield, Louisiana; Honorable Homer E. Capehart, Capehart Farms, Washington, Indiana; Miss Pauline Pino, 2507 Boulevard, Las Vegas, New Mexico;

Honorable Charles P. Nelson, Waterville, Maine; Charles LeRoy Haines, 21 Pine Street, Ellsworth, Maine; Miss Dorothy Bigelow, Easton, Maine; Donald Larabee, Gorham, Maine; Mrs. Winifred H. Grant, Wayside, Maryland; William R. Clay, 3 Pooks Hill Lane, Bethesda, Maryland; Charles F. Sharkey, 31 Thurston Street, Somerville, Massachusetts; Mrs. Leona K. Knight, Bloomfield Hill, Michigan; Miss Hazel Ireman, 922 South State Street, Ann Arbor, Michigan; Honorable Ruth Thompson, 816 Division Street, White Hall, Michigan; James A. Davis, 2027 Twenty-ninth Avenue, Meridian, Mississippi; Mrs. Donald Osborne Hays, Flora, Mississippi; Paul D. Best, Tunica, Mississippi;

Eric G. Jannson, 5738 Walsh Street, Saint Louis, Missouri; Clarence McCune, 6425 McGee Boulevard, Kansas City, Missouri; Lawrence Scheewe, 540 Hillsdale Avenue, Helena, Montana; Miss Molly Clasby, Missoula, Montana; Miss Jessie Stearns, Lincoln, Nebraska; Walter R. Johnson, Omaha, Nebraska; William F. McMenamin, 1131 Ralston Street, Reno, Nevada; Miss Mildred Latham, 29 East First Street, Reno, Nevada; William J. Fleming, 45 North Stenton Street, Atlantic City, New Jersey; Ralph G. Denn, Rio Grande, New Jersey; Arthur Angel, 926 South Pacific, Las Vegas, New Mexico;

Wilfred S. Dowling, 330 West Seventy-sixth Street, New York, New York; Miss Marie T. Dowling, 1882 DeKalb Avenue, Ridgewood, Brooklyn, New York; John K. Slear, 511 North Church Street, Charlotte, North Carolina; Mrs. W. Ney Evans, High Point, North Carolina; Peter Valiar, Winston-Salem, North Carolina; John S. Bartlett, 458 Moreley Avenue, Akron, Ohio; Carl M. Walker, Pierre, South Dakota; Miss Iva Van Horn, Kennebec, South Dakota; William L. Covington, 1510 Gale Avenue, Nashville, Tennessee; D. C. Scott Daniel, Paris, Tennessee; W. M. Burkhalter, McKenzie, Tennessee; Miss Bessie D. Thrasher, 2308 Highland Avenue, Nashville, Tennessee; Maurice R. Barnes, Kaysville, Utah; Don Cassidy, Tooele, Utah; Robert W. Barker, 1217 Washington Boulevard, Ogden, Utah; John Y. Merrell, Brigham City, Utah; Miss Dorothy Hurley, Saint Albans, Vermont;

Captain George P. Grove, 3608 North Albemarle Street, Arlington, Virginia; Mrs. Grace Montgomery, 301 Bellview Boulevard, Alexandria, Virginia; Colonel Heber H. Rice, 206 West Eleventh Avenue, Huntington, West Virginia; Willis G. Kemper, 45 Maple Avenue, Morgantown, West Virginia; Honorable Harley M. Kilgore, Beckley, West Virginia; Honorable J. R. Farrington, 3180 Pacific Heights Road, Honolulu, Hawaii; Mrs. Margaret C. Turner, 607 Stangenwald Building, Honolulu, Hawaii; Ray E. Davis, Melbourne, Arkansas; George A. Herman, 11 Crocker Road, Medford, Massachusetts; Kenneth W. Ingwalson, Little Falls, Minnesota; J. F. Caprenter, Crookston, Minnesota; Earl Cox, 17 Alfaretta Avenue, Akron, Ohio; John M. King, 1318 Northwest Ninety-first Street, Oklahoma City, Oklahoma;

Kenneth N. Hardy, Edmond, Oklahoma; Keith Hall, 808 North Holman Street, Portland, Oregon; Miss Pherne Miller, Eugene, Oregon; Honorable O. E. Teague, Bryan, Texas; L. Tex

Easley, 1106 Wesleyan Avenue, Fort Worth, Texas; Honorable William K. Van Pelt, 47 Oak Lawn Avenue, Fond du Lac, Wisconsin; Walter Haefs, Oshkosh, Wisconsin; H. Mills Astin, 815 East Fifth Street, Casper, Wyoming; Miss Marian Jones, Lingle, Wyoming; Honorable John J. Allen, Junior, Oakland, California; Milo Palmer, Concord, New Hampshire; Miss Victoria E. Dobroska, 78 Temple Street, Nashua, New Hampshire; Major General Floyd L. Parks, Greenville, South Carolina; Reverend J. Warren Hastings, Seattle, Washington;

and other persons who are members of the Conference of State Societies, Washington, District of Columbia, their successors, and persons admitted to membership pursuant to the provisions of this chapter, are created and declared to be a body corporate by the name of the "National Conference of State Societies, Washington, District of Columbia", and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions contained in this chapter.

(Apr. 3, 1952, ch. 131, § 1, 66 Stat. 37; July 5, 1968, Pub. L. 90-382, § 1(1), 82 Stat. 292.)

AMENDMENTS

1968—Pub. L. 90-382 redesignated the Conference of State Societies as the National Conference of State Societies.

§ 402. Purposes of corporation

The purposes of this corporation shall be to promote friendly and cooperative relations between the various State and Territorial societies in the District of Columbia, and to foster, participate in, and encourage educational, cultural, charitable, civic, and patriotic programs, and activities in the District of Columbia and surrounding communities, to act as contact agent with States for carrying out State and National programs.

(Apr. 3, 1952, ch. 131, § 2, 66 Stat. 38.)

§ 403. Powers of corporation

The corporation shall have the following powers:

(a) To sue and be sued, complain and defend in any court of competent jurisdiction;

(b) To adopt, alter, and use a corporate seal;

(c) To choose such officers, managers, and agents as the business of the corporation may require;

(d) To ordain and establish bylaws and regulations, not inconsistent with the laws of the United States of America or of any State in which the corporation operates, for the management of its property and the regulation of its affairs;

(e) To contract and be contracted with;

(f) To take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for carrying into effect the purposes of the corporation, subject to applicable provisions of law of any State (1) governing the amount or kind of real and personal property which may be held by, or (2) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State;

(g) To transfer or convey real or personal property;

(h) To borrow money for the purposes of the corporation, issue notes, bonds, or other evidences of indebtedness therefor, and secure the same by mortgage, subject in every case to all applicable provisions of Federal or State law;

(i) To use and display such emblems and badges as it may adopt;

(j) To publish a newspaper, magazine, or other publication consistent with its corporate purposes;

(k) To do any and all acts necessary and proper to carry out the purposes of the corporation.

(Apr. 3, 1952, ch. 131, § 3, 66 Stat. 38.)

§ 404. Headquarters; territorial scope of activities; agent to accept service of process

(a) The headquarters and principal offices of the corporation shall be located in Washington, District of Columbia, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States and Territories of the United States.

(b) The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service of process for the Corporation, such designation to be filed in the office of the clerk of the United States District Court for the District of Columbia. Notice to, or service upon, such agent, or mailed to the address of such agent, shall be deemed sufficient notice or service upon the corporation.

(Apr. 3, 1952, ch. 131, § 4, 66 Stat. 39.)

FEDERAL RULES OF CIVIL PROCEDURE

Service of process upon agent of domestic or foreign corporation, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 405. Membership

The membership of the corporation shall be made up of the members of the various State and Territorial societies in the District of Columbia. Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this chapter, be determined according to the regulations and bylaws of the corporation.

(Apr. 3, 1952, ch. 131, § 5, 66 Stat. 39.)

§ 406. Officers

The officers of the corporation shall be a president, first vice president, second vice president, secretary, assistant secretary, treasurer, assistant treasurer, historian, and such other officers as may be designated by the governing body.

(Apr. 3, 1952, ch. 131, § 6, 66 Stat. 39.)

§ 407. Board of representatives

(a) Composition; powers

The governing body of the corporation shall be a board of representatives which shall consist of one representative from each State society and Territorial society in the District of Columbia. Such board of representatives shall exercise the powers herein granted to the corporation, and each member of such board shall have one vote upon all matters determined.

(b) Election of officers; term of office

The officers shall be elected by such board of representatives at an annual meeting and shall serve for a term of one year.

(c) Composition of first board

The first board of representatives shall be composed of the following:

Chairman, Charles LeRoy Haines; first vice chairman, Lawrence Scheewe; second vice chairman, Mrs. Esther Costa; secretary, Miss Bessie D. Thrasher; assistant secretary, Miss Dorothy Bigelow; treasurer, Mrs. Charles Henderson; regional directors, William J. Fleming, chairman; region I, Miss Catherine Flynn; region II, William Clay; region III, John Slear; region IV, James A. Davis; region V, Arnold M. Lederer; region VI, Miss Carlotta Reedy; region VII, Claude M. Hirst; region VIII, Major Robert Joy; region IX, Colonel K. N. Parkinson.

Ray E. Davis, Hoyt G. Irving, Mrs. Gertrude J. Scott, John J. Shaforth, Miss Utha Gray Smith, Ernest W. Ellis, Gertrude L. Groman, Mrs. Edna Rose Pearson, Mrs. Donald O. Hays, James H. Pearson, William McMenamin, Wilfred S. Dowling, John S. Bartlett, Mrs. Maurine Howard Abernathy, Carl M. Walker, Don Cassidy, William Garnett Lee, Walter Haefs, Heber H. Rice, Miss Marion Jones, Miss Dorothy Hurley, Charles F. Sharkey, Arthur Angel, Ralph A. Patterson, Miss Hazel Ireman.

(Apr. 3, 1952, ch. 131, § 7, 66 Stat. 39.)

§ 408. Omitted

CODIFICATION

Section, act Apr. 3, 1952, ch. 131, § 8, 66 Stat. 40, which authorized the corporation to acquire the assets and liability of the existing organization known as the Conference of State Societies, Washington, District of Columbia, was omitted as executed.

§ 409. Distribution of income or assets to members

No part of the income or assets of the corporation shall inure or be distributable to any member or officer thereof except upon dissolution and final liquidation of the corporation as provided in section 417 of this title.

(Apr. 3, 1952, ch. 131, § 9, 66 Stat. 40.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 410. Propaganda activities prohibited

No part of the activities of the corporation shall consist of carrying on propaganda.

(Apr. 3, 1952, ch. 131, § 10, 66 Stat. 40.)

§ 411. Nonpolitical nature of corporation

The corporation, and its members and officers as such, shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

(Apr. 3, 1952, ch. 131, § 11, 66 Stat. 40.)

§ 412. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Apr. 3, 1952, ch. 131, § 12, 66 Stat. 40.)

§ 413. Books and records; inspection

The corporation shall keep current and complete books and records of account and shall also keep minutes of the proceedings of its members and of the board of representatives or committees having any authority of the board of representatives. It shall keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time.

(Apr. 3, 1952, ch. 131, § 13, 66 Stat. 40.)

§ 414. Prohibition against issuance of stock or payment of dividends

The corporation shall not have or issue any shares of stock, nor declare or pay any dividends.

(Apr. 3, 1952, ch. 131, § 14, 66 Stat. 40.)

§ 415. Loans to officers; liability of officers

The corporation shall not make any loans to its officers or members of the board of representatives. Any officer or board of representatives member who votes for or assents to the making of a loan or advance to an officer or board of representatives member, and any officer or board of representatives member who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Apr. 3, 1952, ch. 131, § 15, 66 Stat. 40.)

§ 416. Repealed. Pub. L. 88–504, § 4(17), Aug. 30, 1964, 78 Stat. 637

Section, act Apr. 3, 1952, ch. 131, § 16, 66 Stat. 40, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 417. Use of assets on dissolution or liquidation

Upon final dissolution or liquidation of the corporation, and after the discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation shall be divided equally among the State and Territorial societies in the District of Columbia.

(Apr. 3, 1952, ch. 131, § 17, 66 Stat. 41.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 409 of this title.

§ 418. Exclusive right to name, seals, emblems, and badges

The Corporation shall have the exclusive right to use, in carrying out its purposes, the name, "National Conference of State Societies, Washington, District of Columbia," and such seals, emblems, and badges as it may adopt.

(Apr. 3, 1952, ch. 131, § 18, 66 Stat. 41; July 5, 1968, Pub. L. 90-382, § 1(2), 82 Stat. 292.)

AMENDMENTS

1968—Pub. L. 90-382 substituted "National Conference of State Societies, Washington, District of Columbia" for "Conference of State Societies, Washington, D.C.".

§ 419. Agents for service of process

As a condition precedent to the exercise in any State of any power or privilege granted or conferred by this chapter, the corporation shall serve notice upon the secretary of state, or similar officer, of any such State of the name and address of an authorized agent in such State upon whom legal process or demands against the corporation may be served.

(Apr. 3, 1952, ch. 131, § 19, 66 Stat. 41.)

FEDERAL RULES OF CIVIL PROCEDURE

Agent authorized by appointment or law to receive service of process, see rule 4 Title 28, Appendix, Judiciary and Judicial Procedure.

§ 420. Definition of "State"

As used in this chapter the word State includes the District of Columbia.

(Apr. 3, 1952, ch. 131, § 20, 66 Stat. 41.)

§ 421. Reservation of right to amend or repeal chapter

The right to repeal, alter, or amend this chapter at any time is expressly reserved.

(Apr. 3, 1952, ch. 131, § 21, 66 Stat. 41.)

CHAPTER 19—CORREGIDOR BATAAN MEMORIAL COMMISSION

§ 426. Omitted

CODIFICATION

Section, acts Aug. 5, 1953, ch. 326, 67 Stat. 366; Aug. 9, 1955, ch. 658, 69 Stat. 589; Aug. 28, 1957, Pub. L. 85-179, 71 Stat. 457; July 25, 1958, Pub. L. 85-556, §§ 1, 2, 72 Stat. 416, 417; Dec. 23, 1963, Pub. L. 88-240, § 1, 77 Stat. 477; Aug. 19, 1964, Pub. L. 88-448, title IV, § 402(a)(31), 78 Stat. 495, which authorized the President to appoint a Commission to be known as the Corregidor Bataan Memorial Commission, was omitted from the Code in view of the termination of the Commission's existence by Pub. L. 88-240, § 2, set out below.

TERMINATION OF COMMISSION

Pub. L. 88-240, § 2, Dec. 23, 1963, 77 provided that the Corregidor Bataan Memorial Commission would cease to exist upon completion of the construction authorized by Pub. L. 88-240, or on May 6, 1967, at the latest.

CHAPTER 20—NATIONAL CONFERENCE ON CITIZENSHIP

Sec.
431. Corporation created.
432. Omitted.
433. Objects and purposes of corporation.
434. Powers of corporation.
435. Headquarters; territorial scope of activities; agent to accept service of process.
436. Membership; voting rights.
437. National officers; election.
438. Board of Directors.
  (a) Composition.
  (b) Election of members.
  (c) Meetings.
  (d) Executive committee.
  (e) Executive director; professional staff members.
439. Distribution of income or assets to members; loans.
440. Nonpolitical nature of corporation.
441. Liability for acts of officers and agents.
442. Prohibition against issuance of stock or payment of dividends.
443. Books and records; inspection.
444. Repealed.
445. Use of assets on dissolution or liquidation.
446. Exclusive right to name, emblems, seals, and badges.
447. Reservation of right to amend or repeal chapter.

§ 431. Corporation created

The following persons: Robert N. Anderson, Arlington, Virginia; Emma Mae Brotze, Marshall, Texas; Leo M. Cadison, Asheville, North Carolina; Thomas F. Clear, Stamford, Connecticut; Earle T. Hawkins, Towson, Maryland; Carl B. Hyatt, Rockville, Maryland; Richard B. Kennan, Chevy Chase, Maryland; and Justin Miller, Pacific Palisades, California, are created a body corporate by the name of the National Conference on Citizenship (hereinafter referred to as the "corporation") and by such name shall be known and have perpetual succession and the powers and limitations contained in this chapter.

(Aug. 13, 1953, ch. 427, § 1, 67 Stat. 562.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 437 of this title.

§ 432. Omitted

CODIFICATION

Section, act Aug. 13, 1953, ch. 427, § 2, 67 Stat. 562, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 433. Objects and purposes of corporation

The objects and purposes of the corporation shall be—

(1) to hold annually a national conference on citizenship on or about "Citizenship Day", September 17;

(2) to assist in the development of more dynamic procedures for making citizenship more effective, including the promotion and encouragement of local, State, and regional citizenship conferences; and

(3) to indicate the ways and means by which various organizations may contribute concretely to the development of a more active, alert, enlightened, conscientious, and progressive citizenry in our country.

(Aug. 13, 1953, ch. 427, § 3, 67 Stat. 562.)

§ 434. Powers of corporation

The corporation shall have power—

(1) to sue and be sued, complain, and defend in any court of competent jurisdiction;

(2) to adopt, alter, and use a corporate seal;

(3) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(4) to adopt, amend, and alter bylaws and regulations, not inconsistent with the laws of

the United States or any State in which such corporation is to operate, for the management of its property and the regulation of its affairs, including the establishment and maintenance of local and State conferences on citizenship;

(5) to contract and be contracted with;

(6) to take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects and accomplishing the purposes of the corporation, subject to applicable provisions of law of any State (a) governing the amount or kind of real and personal property which may be held by, or (b) otherwise limiting or controlling the ownership of real and personal property by a corporation operating in such State;

(7) to transfer and convey real or personal property;

(8) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, subject to all applicable provisions of Federal or State law;

(9) to use the corporate funds to give prizes, or awards, to citizens for outstanding contributions toward the achievement of the purposes of the corporation;

(10) to publish a magazine or other publication consistent with its corporate purposes;

(11) to use and display such emblems and badges as it may adopt; and

(12) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

(Aug. 13, 1953, ch. 427, § 4, 67 Stat. 562.)

§ 435. Headquarters; territorial scope of activities; agent to accept service of process

(a) The headquarters and principal offices of the corporation shall be located in the District of Columbia, or in the States of Maryland or Virginia, but the activities of the corporation shall not be confined to these places but may be conducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service of process for the corporation, such designation to be filed in the office of the clerk of the United States District Court for the District of Columbia. Notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed sufficient notice or service upon the corporation.

(Aug. 13, 1953, ch. 427, § 5, 67 Stat. 563.)

§ 436. Membership; voting rights

Membership in the corporation shall be confined to agencies and organizations and the rights and privileges of membership shall, except as otherwise provided in this chapter, be prescribed by the bylaws of the corporation. In the conduct of the business of the annual national conference on citizenship each agency or organization sending delegates to, and participating in such conference shall have one vote.

(Aug. 13, 1953, ch. 427, § 6, 67 Stat. 563.)

§ 437. National officers; election

(a) The national officers shall be a president, who shall serve as chairman of the board of directors and of the executive committee, a first vice president, a second vice president, a third vice president, a secretary, and a treasurer, to be selected from the officers and members of the member agencies or organizations participating in the conference.

(b) For the purposes of initiating the corporation, the national officers shall be elected within ten days of August 13, 1953, by the persons named in section 431 of this title, to serve until the final session of the next following annual conference. Thereafter, the national officers of the corporation shall be elected biennially by a majority vote of the agencies and organizations sending delegates to, and participating in the annual conference, one vote to each such agency and to each such organization.

(Aug. 13, 1953, ch. 427, § 7, 67 Stat. 563.)

§ 438. Board of Directors

(a) Composition

From August 13, 1953, until the final session of the next following annual conference, the governing body of the corporation, which shall exercise the powers herein granted to the corporation, shall be the persons named in section 431 of this title and such additional persons as shall be named by them. Thereafter, the governing body of the corporation shall be a board of directors consisting of such number (not less than ten including ex officio members) as the bylaws may prescribe. The Board of Directors shall be selected from the officers or members of the member agencies or organizations participating in the conference.

(b) Election of members

The members of the board of directors shall be elected for such term as the bylaws shall prescribe by a majority vote of the agencies and organizations sending delegates to, and participating in the annual conference, one vote to each such agency and to each such organization.

(c) Meetings

The board shall meet at least once each year at such time and place as may be prescribed by the bylaws. The annual report of the board shall be presented at such meeting. Special meetings of the board may be called as prescribed by the bylaws.

(d) Executive committee

The board shall designate three of its own members, who together with the president and the three vice presidents shall constitute the executive committee which, when the board is not in session, shall have and exercise the powers of the board subject to its direction and have the power to authorize the seal of the corporation to be affixed to all papers which may require it.

(e) Executive director; professional staff members

An executive director for the corporation shall be selected by the executive committee in keeping with qualifications and terms of employment adopted by such committee. Other professional staff members shall be nominated by the executive director and approved by the executive committee.

(Aug. 13, 1953, ch. 427, § 8, 67 Stat. 564.)

Section Referred to in Other Sections

This section is referred to in section 439 of this title.

§ 439. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any member, officer, or director, or be distributable to any such person, agency, or organization except upon dissolution or final liquidation of the corporation as provided in section 445 of this title. Nothing in this subsection, however, shall be construed to prevent the executive committee from adopting terms of employment of the executive director as prescribed by section 438(e) of this title.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation, and any officer who participates in the making of such loan shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Aug. 13, 1953, ch. 427, § 9, 67 Stat. 564.)

Cross References

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 440. Nonpolitical nature of corporation

The corporation, and its members, officers, and directors, as such, shall not contribute to or otherwise support or assist any political party or candidate for elective public office, nor advocate, sponsor, or promote legislation in the Congress of the United States or in the legislatures of the several States.

(Aug. 13, 1953, ch. 427, § 10, 67 Stat. 564.)

§ 441. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Aug. 13, 1953, ch. 427, § 11, 67 Stat. 565.)

§ 442. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock, nor to declare or pay any dividends, its objects and purposes being solely patriotic and educational.

(Aug. 13, 1953, ch. 427, § 12, 67 Stat. 565.)

§ 443. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of the annual conference, the board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote or his agent or attorney at any reasonable time.

(Aug. 13, 1953, ch. 427, § 13, 67 Stat. 565.)

§ 444. Repealed. Pub. L. 88–504, § 4(18), Aug. 30, 1964, 78 Stat. 637

Section, act Aug. 13, 1953, ch. 427, § 14, 67 Stat. 565, related to audit of financial transactions and report of such audit to the Comptroller General and is now covered by sections 1101 to 1103 of this title.

§ 445. Use of assets on dissolution or liquidation

Upon final dissolution or liquidation of the corporation, and after the discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation shall be transferred by the board of directors to some recognized agency or agencies engaged in the furtherance and advancement of citizenship.

(Aug. 13, 1953, ch. 427, § 15, 67 Stat. 565.)

Section Referred to in Other Sections

This section is referred to in section 439 of this title.

§ 446. Exclusive right to name, emblems, seals, and badges

The corporation shall have the sole and exclusive right to use the name, the National Conference on Citizenship, and such emblems, seals, and badges as the corporation may lawfully adopt.

(Aug. 13, 1953, ch. 427, § 16, 67 Stat. 565.)

§ 447. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Aug. 13, 1953, ch. 427, § 17, 67 Stat. 565.)

CHAPTER 21—NATIONAL SAFETY COUNCIL

Sec.
461. Corporation created.
462. Omitted.
463. Objects and purposes of corporation.
464. Powers of corporation.
465. Principal office; scope of activities; agent to accept service of process.
466. Membership; voting rights.
467. Board of directors.
  (a) Composition of initial board.
  (b) Composition of subsequent boards.
  (c) Powers and responsibilities.
468. Officers; election; executive vice president.
469. Trustees; powers.
470. Distribution of assets to members; loans.
471. Nonpolitical nature of corporation.
472. Liability for acts of officers and agents.
473. Prohibition against issuance of stock or payment of dividends.
474. Books and records; inspection.
475. Repealed.
476. Use of assets on dissolution or liquidation.
477. Exclusive right to name, emblems, seals, and badges.
478. Omitted.
479. Reservation of right to amend or repeal chapter.

§ 461. Corporation created

Melvin H. Baker, Lawrence D. Bell, James B. Black, S. Bruce Black, Morgan B. Brainard, John W. Carpenter, Ray Carr, William G.

Chandler, Kenneth B. Colman, Frederick C. Crawford, Walter J. Cummings, Richard R. Deupree, Benjamin F. Fairless, Wallace Falvey, Francis J. Gavin, George A. Jacoby, George E. Leighty, Horace P. Liversidge, Henry E. North, Thomas I. Parkinson, A. V. Rohweder, William A. Simpson, Lee E. Skeel, W. A. Stewart, John Stilwell, J. E. Trainer, and Juan T. Trippe are created and declared to be a body corporate by the name of National Safety Council, hereinafter called the corporation, and by such name shall be known and have perpetual succession and the powers and limitations contained in this chapter.

(Aug. 13, 1953, ch. 429, § 1, 67 Stat. 569.)

§ 462. Omitted

CODIFICATION

Section, act. Aug. 13, 1953, ch. 429, § 2, 67 Stat. 569, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 463. Objects and purposes of corporation

The objects and purposes of the corporation shall be—

(1) to further, encourage, and promote methods and procedures leading to increased safety, protection, and health among employees and employers and among children, in industries, on farms, in schools and colleges, in homes, on streets and highways, in recreation, and in other public and private places;

(2) to collect, correlate, publish, distribute, and disseminate educational and informative data, reports, and all other data relative to safety methods and procedures;

(3) to arouse and maintain the interest of the people of the United States, its Territories and possessions in safety and in accident prevention, and to encourage the adoption and institution of safety methods by all persons, corporations, and other organizations;

(4) to organize, establish, and conduct programs, lectures, conferences, and other activities for the education of all persons, corporations, and other organizations in safety methods and procedures;

(5) to organize, and to aid in the organization of, local safety chapters throughout the United States, its Territories and possessions, and to provide organizational guidance and materials to promote the national safety;

(6) to cooperate with, enlist, and develop the cooperation of and between all persons, corporations, and other organizations and agencies, both public and private, engaged or interested in, or in any manner connected with, any or all of the foregoing purposes; and

(7) to do any and all lawful acts which may be necessary, useful, suitable, desirable, and proper for the furtherance, accomplishment, and attainment of any or all of the foregoing purposes.

(Aug. 13, 1953, ch. 429, § 3, 67 Stat. 569.)

§ 464. Powers of corporation

The corporation shall have power—

(1) to sue and be sued, complain, and defend in any court of competent jurisdiction;

(2) to adopt, alter, and use a corporate seal;

(3) to choose such officers, directors, trustees, managers, agents, and employees as the business of the corporation may require;

(4) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(5) to contract and be contracted with;

(6) to charge and collect membership dues, subscription fees, and receive contributions or grants of money or property to be devoted to the carrying out of its purposes;

(7) to take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects and carrying into effect the purposes of the corporation, subject to applicable provisions of law in any State (a) governing the amount or kind of real and personal property which may be held by, or (b) otherwise limiting or controlling the ownership of real or personal property by a corporation operating in such State;

(8) to transfer, encumber, and convey real or personal property;

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, subject to all applicable provisions of Federal or State law;

(10) to use the corporate funds to give prizes, awards, or other evidences of merit or recognition to persons, organizations, associations, or corporations, public or private, for outstanding contributions toward the achievement of the purposes of the corporation;

(11) to publish magazines and other publications and materials, whether periodic or occasional, consistent with its corporate purposes;

(12) to organize, establish, and conduct conferences on safety and accident prevention;

(13) to adopt, alter, use, and display such emblems, seals, and badges as it may adopt;

(14) to establish and maintain offices for the conduct of its business, and to charter local, State, and regional safety organizations, and to establish, regulate, and discontinue departmental subdivisions and local, State, and regional chapters in appropriate places throughout the United States, its Territories and possessions; and

(15) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation and, for such purpose, the corporation shall also have, in addition to the foregoing in this section and subsection, the rights, powers, duties, and liabilities of the existing corporation referred to in section 478 of this title as far as they are not modified or superseded by this chapter.

(Aug. 13, 1953, ch. 429, § 4, 67 Stat. 570.)

REFERENCES IN TEXT

Section 478 of this title, referred to in par. (15), was omitted from the Code as executed.

§ 465. Principal office; scope of activities; agent to accept service of process

(a) The principal office of the corporation shall be located in Chicago, Illinois, or in such other place as may later be determined by the board of directors, but the activities of the corporation shall not be confined to that place and may be conducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service or process for the corporation, and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Aug. 13, 1953, ch. 429, § 5, 67 Stat. 570.)

§ 466. Membership; voting rights

(a) Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this chapter, be determined as the constitution and bylaws of the corporation may provide.

(b) Each member of the corporation, other than honorary and sustaining members, shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation. The corporation may, by its constitution and bylaws, provide for additional voting rights in accordance with dues paid.

(Aug. 13, 1953, ch. 429, § 6, 67 Stat. 571.)

§ 467. Board of directors

(a) Composition of initial board

Upon enactment of this chapter the membership of the initial board of directors of the corporation shall consist of the present members of the board of directors of the National Safety Council, Inc., referred to in section 478 of this title, or such of them as may then be living and are qualified directors of that corporation, to wit—E. F. du Pont, Wilmington, Delaware; Franklin M. Kreml, Evanston, Illinois; A. F. Allen, Dallas, Texas; J. I. Banash, West Los Angeles, California; William B. Barton, Washington, District of Columbia; C. W. Bergquist, Indianapolis, Indiana; R. A. L. Bogan, Chicago, Illinois; Norman E. Borgerson, Lansing, Michigan; Harry H. Brainerd, Pittsburgh, Pennsylvania; Fred W. Braun, Wausau, Wisconsin; Theo Brown, Moline, Illinois; E. J. Buhner, Louisville, Kentucky; Alfred W. Cantwell, Washington, District of Columbia; Ray Carr, Portland, Oregon; Jesse Clark, Chicago, Illinois; Reginald M. Cleveland, New York, New York; William L. Connolly, Washington, District of Columbia; Doctor B. L. Corbett, Milwaukee, Wisconsin; Charles R. Cos, New York, New York; Ernest G. Cox, Washington, District of Columbia; R. S. Damon, Kansas City, Missouri; Ned H. Dearborn, Chicago, Illinois; J. Dewey Dorsett, New York, New York; E. F. du Pont, Wilmington, Delaware; Martin P. Durkin, Washington, District of Columbia; Wallace Falvey, Boston, Massachusetts; Kirk Fox, Des Moines, Iowa; C. H. Gallaway, Southbridge, Massachusetts; George F. Getz, Junior, Chicago, Illinois; Gordon C. Graham, Detroit, Michigan; Howard Gramlich, Chicago, Illinois; W. Earl Hall, Mason City, Iowa; R. A. Harschnek, Chicago, Illinois; O. R. Hartwig, Portland, Oregon; Doctor Herold C. Hunt, Chicago, Illinois; Harold P. Jackson, Newark, New Jersey; George A. Jacoby, Detroit, Michigan; Mrs. George W. Jaqua, Winchester, Indiana; Joseph M. Kaplan, Los Angeles, California; E. W. Kempton, Pittsburgh, Pennsylvania; Mrs. Fred W. Knight, Cartersville, Georgia; Franklin M. Kreml, Evanston, Illinois; Walter G. Legge, New York, New York; Boyd Lewis, New York, New York; Thomas H. MacDonald, College Station, Texas; Miss Marion E. Martin, Augusta, Maine; I. W. Millard, Danville, Illinois; Harry M. Moses, Washington, District of Columbia; D. E. Mumford, New York, New York; Hallie L. Myers, Indianapolis, Indiana; Guy L. Noble, Chicago, Illinois; Henry E. North, San Francisco, California; Clifton W. Phalen, Detroit, Michigan; Harry L. Powell, Milwaukee, Wisconsin; Harry Read, Washington, District of Columbia; A. V. Rohweder, Duluth, Minnesota; Robert T. Ross, Dearborn, Michigan; Doctor K. Frances Scott, Northampton, Massachusetts; Honorable Lee E. Skeel, Cleveland, Ohio; Robert R. Snodgrass, Atlanta, Georgia; Leslie J. Sorenson, Chicago, Illinois; Doctor H. J. Stack, New York, New York; J. C. Stennett, Chicago, Illinois; W. A. Stewart, Southbridge, Massachusetts; Miss Judith Waller, Chicago, Illinois; Mrs. George Welles, Junior, Duluth, Minnesota; Doctor George M. Wheatley, New York, New York; E. C. Woodward, Milwaukee, Wisconsin; and Doctor William P. Yant, Pittsburgh, Pennsylvania.

(b) Composition of subsequent boards

Thereafter, the board of directors of the corporation shall consist of such number (not less than fifteen), shall be selected in such manner (including the filling of vacancies), and shall serve for such term as may be prescribed in the constitution and bylaws of the corporation.

(c) Powers and responsibilities

The board of directors shall be the governing board of the corporation and shall, during the intervals between corporation meetings, be responsible for the general policies and program of the corporation. The board shall be responsible for all finance except as provided for in section 469 of this title.

(Aug. 13, 1953, ch. 429, § 7, 67 Stat. 571.)

REFERENCES IN TEXT

Section 478 of this title, referred to in subsec. (a), was omitted from the Code as executed.

§ 468. Officers; election; executive vice president

(a) The officers of the corporation shall be a chairman of the board of directors, a president, three or more vice presidents (as may be prescribed in the constitution and bylaws of the corporation), a secretary, a treasurer, and an executive vice president. The duties of the officers shall be as prescribed in the constitution and bylaws of the corporation.

(b) Officers, except the executive vice president, shall be elected annually at the annual meeting of the corporation. The executive vice president shall be elected by the board of directors in such manner as may be prescribed by the constitution and bylaws of the corporation.

(Aug. 13, 1953, ch. 429, § 8, 67 Stat. 572.)

§ 469. Trustees; powers

There shall be trustees, whose number (not less than fifteen), method of selection, and term of office shall be as the constitution and bylaws of the corporation may prescribe. The trustees shall have full power and control over such contributed funds as may be raised by them.

(Aug. 13, 1953, ch. 429, § 9, 67 Stat. 572.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 467 of this title.

§ 470. Distribution of assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any member, officer, or director, or be distributable to any such person otherwise than upon dissolution or final liquidation of the corporation as provided in section 476 of this title. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the executive committee of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation, and any officer who participates in the making of such loan, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Aug. 13, 1953, ch. 429, § 10, 67 Stat. 572.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 471. Nonpolitical nature of corporation

The corporation, and its officers, directors, and duly appointed agents as such, shall not contribute to or otherwise support or assist any political party or candidate for office.

(Aug. 13, 1953, ch. 429, § 11, 67 Stat. 573.)

§ 472. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Aug. 13, 1953, ch. 429, § 12, 67 Stat. 573.)

§ 473. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock nor to declare nor pay any dividends.

(Aug. 13, 1953, ch. 429, § 13, 67 Stat. 573.)

§ 474. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any of the authority of the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

(Aug. 13, 1953, ch. 429, § 14, 67 Stat. 573.)

§ 475. Repealed. Pub. L. 88-504, § 4(19), Aug. 30, 1964, 78 Stat. 637

Section, act Aug. 13, 1953, ch. 429, § 15, 67 Stat. 573, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 476. Use of assets on dissolution or liquidation

Upon final dissolution or liquidation of the corporation, and after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

(Aug. 13, 1953, ch. 429, § 16, 67 Stat. 573.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 470 of this title.

§ 477. Exclusive right to name, emblems, seals, and badges

The corporation, and its subordinate divisions and regional, State, and local chapters, shall have the sole and exclusive right to use the name, National Safety Council. The corporation shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as it may legally adopt, and such emblems, seals, and badges as have heretofore been used by the Illinois corporation referred to in section 478 of this title in carrying out its program, it being distinctly understood, however, that nothing in this chapter shall interfere or conflict with established or vested rights.

(Aug. 13, 1953, ch. 429, § 17, 67 Stat. 574.)

REFERENCES IN TEXT

Section 478 of this title, referred to in text, was omitted from the Code as executed.

§ 478. Omitted

CODIFICATION

Section, act Aug. 13, 1953, ch. 429, § 18, 67 Stat. 574, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of Illinois and known as the National Safety Council, Incorporated, was omitted from the Code as executed.

§ 479. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Aug. 13, 1953, ch. 429, § 19, 67 Stat. 574.)

CHAPTER 22—PERSHING HALL MEMORIAL FUND

Sec.

491. Creation of fund; investments; payments to American Legion.
492. Repealed.

§ 491. Creation of fund; investments; payments to American Legion

Any balance remaining from the sum of $482,032.92 authorized to be appropriated, by the Secretary of the Treasury, by section 1 of the Act approved June 28, 1935, chapter 323, 49 Stat. 426, for effecting a settlement of any indebtedness connected with Pershing Hall, a memorial already erected in Paris, France, under the auspices of the American Legion, Inc., to the commander in chief, officers, men and auxiliary services of the American Expeditionary Forces, to the end that such memorial as so freed from debt may be perpetuated, shall, after settlement of such indebtedness, be retained by the Secretary of the Treasury as a special fund to be known as the "Pershing Hall Memorial Fund." The Secretary of the Treasury is authorized (a) to invest and reinvest any part or all of the corpus of this fund so remaining in interest-bearing United States Government bonds and retain custody thereof; and (b) upon request of the American Legion, Inc., the Secretary of the Treasury shall pay to the National Treasurer of the American Legion, Inc., from time to time any part of the earnings upon the fund for use in the maintenance and/or perpetuation of Pershing Hall.

(June 28, 1935, ch. 323, § 2, 49 Stat. 426.)

REFERENCES IN TEXT

Section 1 of act June 28, 1935, ch. 323, 49 Stat. 426, referred to in the text, provided: "That $482,032.92 of the fund entitled 'Recreation fund—Army', created by the War Department Appropriation Act, approved March 4, 1933 [see 47 Stat. 1573], is hereby authorized to be appropriated by the Secretary of the Treasury for effecting a settlement of any indebtedness connected with Pershing Hall, a memorial already erected in Paris, France, under the auspices of the American Legion, Inc., to the commander in chief, officers, men and auxiliary services of the American Expeditionary Forces, to the end that such memorial as so freed from debt may be perpetuated: *Provided*, That the amount herein provided shall not be used for the purposes indicated herein, until the legal title to said property shall have been vested in the Government of the United States for the use and benefit of all American officers and enlisted men of the World War [World War I]."

CODIFICATION

In the original, section 2 of act June 28, 1935, read "Any balance remaining after settlement of such indebtedness shall be retained", etc. The descriptive language substituted largely therefor, at the beginning of this section, was taken from section 1 of that act, referred to in that descriptive language and set out above.

APPROPRIATIONS

Act Aug. 12, 1935, ch. 508, title I, § 1 (part), 49 Stat. 594, appropriated the sum of $482,032.92 for the purposes of this section and of section 1 of act June 28, 1935, set out above, subject to the conditions set out in the proviso in section 1 of act June 28, 1935.

§ 492. Repealed. Pub. L. 86-533, § 1(2), June 29, 1960, 74 Stat. 245

Section, act June 28, 1935, ch. 323, § 3, 49 Stat. 426, required an itemized report of expenditures to be made to Congress on the first day of each regular session.

CHAPTER 23—BOARD FOR FUNDAMENTAL EDUCATION

Sec.

501. Corporation created.
502. Omitted.
503. Purposes of corporation.
504. Powers of corporation.
505. Territorial scope; District of Columbia agent; principal office.
506. Membership; eligibility, rights, and voting powers.
507. Board of directors; composition; elections.
508. Chairman of the board of directors; officers; general duties and powers of officers.
509. Restriction on use of income and assets; loans to personnel.
510. Nonpolitical nature of corporation.
511. Liability for acts of officers and agents.
512. Non profit character of corporation.
513. Books and records; inspection.
514. Repealed.
515. Transfer of assets on dissolution or liquidation.
516. Exclusive right to name, seals, emblems, and badges.
517. State and territorial agents.
518. Reservation of right to amend or repeal chapter.

§ 501. Corporation created

The following persons: Ernest R. Alexander, of Dallas, Texas; John R. Alford, of Henderson, Texas; William H. Book, of Indianapolis, Indiana; E. M. Dealey, of Dallas, Texas; A. Dale Fiers, of Indianapolis, Indiana; Fred F. Florence, of Dallas, Texas; E. B. Germany, of Dallas, Texas; Sam Gladney, of Dallas, Texas; Theodore B. Griffith, of Indianapolis, Indiana; O. H. Grissom, of Longview, Texas; Harry T. Ice, of Indianapolis, Indiana; J. C. Judge, of Mineola, Texas; George Kuhn, of Indianapolis, Indiana; Charles J. Lynn, of Indianapolis, Indiana; Eugene S. Pulliam, of Indianapolis, Indiana; C. B. Roberts, of Dallas, Texas; William L. Schloss, of Indianapolis, Indiana; Ben H. Wooten, of Dallas, Texas; and Joseph Zeppa, of Tyler, Texas; and their associates and successors are created a body corporate by the name of Board for Fundamental Education (hereinafter referred to as the "corporation") and by such name shall be known and have perpetual succession and the powers and limitations contained in this chapter.

(July 19, 1954, ch. 536, § 1, 68 Stat. 489.)

§ 502. Omitted

CODIFICATION

Section, act July 19, 1954, ch. 536, § 2, 68 Stat. 490, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 503. Purposes of corporation

The objects and purposes of the corporation shall be to foster the development of fundamental education through programs and projects such as—

(1) giving citizens (children, youth, and adults) opportunity to acquire the understandings and skills necessary to relate the resources of the community to the needs and interests of the community.

(2) demonstrating programs of fundamental education and measuring results.

(3) training men and women as leaders in fundamental education by providing internships and other experiences.

(July 19, 1954, ch. 536, § 3, 68 Stat. 490.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 515 of this title.

§ 504. Powers of corporation

The corporation shall have power—

(1) to sue and be sued, complain and defend in any court of competent jurisdiction;

(2) to adopt, use, and alter a corporate seal;

(3) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(4) to adopt and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which such corporation is to operate, for the management of its property and the regulation of its affairs;

(5) to contract and be contracted with;

(6) to take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects of accomplishing the purposes of the corporation, subject to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State;

(7) to transfer and convey real or personal property;

(8) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, subject to all applicable provisions of Federal or State law;

(9) to use the corporate funds to give prizes, awards, loans, scholarships and grants to deserving students for the purposes set forth in section 503 of this title;

(10) to publish a magazine and other publications; and

(11) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

(July 19, 1954, ch. 536, § 4, 68 Stat. 490.)

§ 505. Territorial scope; District of Columbia agent; principal office

The activities of the corporation may be conducted throughout the various States, Territories, and possessions of the United States. The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service of process for the corporation, such designation to be filed in the office of the clerk of the United States District Court for the District of Columbia. Notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed sufficient notice or service upon the corporation. The principal office of the corporation shall be established at such place as the board of directors deems appropriate.

(July 19, 1954, ch. 536, § 5, 68 Stat. 490.)

§ 506. Membership; eligibility, rights, and voting powers

Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this chapter, be determined according to the constitution and bylaws of the corporation. In the conduct of the official business of the corporation each member shall have one vote.

(July 19, 1954, ch. 536, § 6, 68 Stat. 491.)

§ 507. Board of directors; composition; elections

The corporation shall be governed by a board of directors composed of not less than fifteen members of the corporation who shall be elected annually to serve on such board by the members of the corporation.

(July 19, 1954, ch. 536, § 7, 68 Stat. 491.)

§ 508. Chairman of the board of directors; officers; general duties and powers of officers

The officers of the corporation shall consist of a chairman of the board, a president, one or more vice presidents, a secretary, a treasurer, and such assistant officers as the board of directors shall designate. The officers shall perform such duties and have such powers as the bylaws and the board of directors may from time to time prescribe.

(July 19, 1954, ch. 536, § 8, 68 Stat. 491.)

§ 509. Restriction on use of income and assets; loans to personnel

(a) No part of the income or assets of the corporation shall inure to any member, officer, or director, or be distributable to any such person except upon dissolution and final liquidation of the corporation as provided in section 515 of this title.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to any officer, director, or employee of the corporation, and any officer who participates in the making of such a loan shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(July 19, 1954, ch. 536, § 9, 68 Stat. 491.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 510. Nonpolitical nature of corporation

The corporation and its members, officers, and directors, as such, shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

(July 19, 1954, ch. 536, § 10, 68 Stat. 491.)

§ 511. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(July 19, 1954, ch. 536, § 11, 68 Stat. 491.)

§ 512. Non-profit character of corporation

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends, or to engage in business for pecuniary profit.

(July 19, 1954, ch. 536, § 12, 68 Stat. 491.)

§ 513. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, the board of directors, and committees having any authority under the board of directors; and it shall also keep a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member or his agent or attorney, at any reasonable time.

(July 19, 1954, ch. 536, § 13, 68 Stat. 491.)

§ 514. Repealed. Pub. L. 88–504, § 4(20), Aug. 30, 1964, 78 Stat. 637

Section, act July 19, 1954, ch. 536, § 14, 68 Stat. 491, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 515. Transfer of assets on dissolution or liquidation

Upon final dissolution or liquidation of the corporation and after the discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation shall be used by the board of directors for the purposes stated in section 503 of this title or be transferred to some recognized educational foundation.

(July 19, 1954, ch. 536, § 15, 68 Stat. 492.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 509 of this title.

§ 516. Exclusive right to name, seals, emblems, and badges

The corporation shall have the sole and exclusive right to use the name of Board for Fundamental Education as representing such corporation and such seals, emblems, and badges as the corporation may lawfully adopt.

(July 19, 1954, ch. 536, § 16, 68 Stat. 492.)

§ 517. State and territorial agents

As a condition precedent to the exercise of any power or privilege granted to the corporation under this chapter, the corporation shall file in the office of the Secretary of State, or similar office, in each State and in each Territory or possession of the United States in which the corporation is doing business, the name and post office address of an authorized agent in such State, Territory, or possession upon whom legal process or demand against the corporation may be served.

(July 19, 1954, ch. 536, § 17, 68 Stat. 492.)

§ 518. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(July 19, 1954, ch. 536, § 18, 68 Stat. 492.)

CHAPTER 24—SONS OF UNION VETERANS OF THE CIVIL WAR

Sec.

531. Corporation created.
532. Omitted.
533. Objects and purposes of corporation.
534. Powers of corporation.
535. Membership.
536. Government; composition; form; meeting plan.
537. Council of administration.
    (a) Duration of authority; responsibilities.
    (b) Composition of initial council.
    (c) Composition of subsequent councils.
538. Officers of corporation; selection, terms, and duties.
539. Principal office; territorial scope of activities; resident agent.
540. Distribution of income or assets to members; loans.
541. Nonpolitical nature of corporation.
542. Liability for acts of officers and agents.
543. Prohibition against issuance of stock or payment of dividends.
544. Books and records; inspection.
545. Repealed.
546. Activities report to Congress.
547. Exclusive right to name, emblems, seals, and badges.
548. Omitted.
549. Use of assets on dissolution or liquidation.
550. Reservation of right to amend or repeal chapter.

§ 531. Corporation created

The following named persons to wit: General of the Army Douglas MacArthur, New York; Major General Amos A. Fries, retired, and Major General Ulysses S. Grant, 3d, retired, Washington, District of Columbia; Charles Boynton, Long Beach, California; Frank Worner, Inglewood, California; Wilbur Coursey, Fresno, California; Roy A. Davis, Colorado Springs, Colorado; Angus Ogborn, Richmond, Indiana; Thomas M. Horn, Lafayette, Indiana; Alonzo R. Stanfield, Indianapolis, Indiana; Roy J. Bennett, Des Moines, Iowa; Homer L. Young, Waterloo, Iowa; Dr. L. L. Shoppe, Des Moines, Iowa; E. S. Spangler, Newton, Kansas; A. P. Phillips, Newton, Kansas; William Dix, Newton, Kansas; F. Harold Dubord, Waterville, Maine; Hon. Burleigh Martin, Augusta, Maine; General William E. Southard, Bangor, Maine; George W. Kimball, Chelsea, Massachusetts; Brigadier General Otis M. Whitney, Concord, Massachusetts; Charles H. E. Moran, Holyoke, Massachusetts; Governor Alvan Tufts Fuller, Boston, Massachusetts; Charles R. Cowdin, Detroit, Michigan; Birt Hammong, Jackson, Michigan; Charles F. Dexter, Detroit, Michigan; Donald F. Peacock, Detroit, Michigan; Dewey B. Mead, Minneapolis, Minnesota; Donald C. Bennyhof, Hennepin County, Minnesota; William A. Anderson, Minneapolis, Minnesota; Laurence J. Parker, Bennington, New Hampshire; Wallace L. Mason, Keene, New Hampshire; Cleon E. Heald, Keene, New Hampshire; Colonel Edward Black, retired, Bennington, New Hampshire; Albert C. Lambert, Trenton, New Jersey; Colonel Frederic G. Bauer, Ridgewood, New Jersey; Charles A. Otto, Elizabeth, New Jersey; C. Wesley Armstrong, Trenton, New Jersey; Doctor Karl Rothschild, New Brunswick, New Jersey; Rev. Hermon L. Brockway, Ithica, New York; William M. Coffin, Cincinnati, Ohio; Homer A. Ramey, Toledo, Ohio; Miles S. Kuhn, Dayton, Ohio; S. Anselm Skelton, Portsmouth, Ohio; Frederick K. Davis, Eugene, Oregon; Doctor W. E. Buchanan, Eugene, Oregon; Austin D. McReynolds, Eugene, Oregon; Glenn L. Adams, Salem, Oregon; John H. Runkle, Harrisburg, Pennsylvania; C. Leroy Stoudt, Reading, Pennsylvania; Walter C. Mabie, Philadelphia, Pennsylvania; Edgar L. Gale, Seattle, Washington; Edward T. Fairchild, Madison, Wisconsin; Roland J. Steinle, Milwaukee, Wisconsin; Lyall T. Beggs, Madison, Wisconsin; and Doctor William Martin Lamers, Wauwatosa, Wisconsin; and their successors, are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Sons of Union Veterans of the Civil War (hereinafter referred to as the corporation), and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Aug. 20, 1954, ch. 774, § 1, 68 Stat. 748.)

§ 532. Omitted

CODIFICATION

Section, act Aug. 20, 1954, ch. 774, § 2, 68 Stat. 749, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 533. Objects and purposes of corporation

The purposes of the corporation shall be: To perpetuate the memory of the Grand Army of the Republic and of the men who saved the Union in 1861 to 1865; to assist in every practicable way in the preservation and making available for research of documents and records pertaining to the Grand Army of the Republic and its members; to cooperate in doing honor to all those who have patriotically served our country in any war; to teach patriotism and the duties of citizenship, the true history of our country, and the love and honor of our flag; to oppose every tendency or movement that would weaken loyalty to, or make for the destruction or impairment of, our constitutional Union; and to inculcate and broadly sustain the American principles of representative government, of equal rights, and of impartial justice for all.

(Aug. 20, 1954, ch. 774, § 3, 68 Stat. 749.)

§ 534. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the activities of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws; not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any public body or agency or any private corporation, association, partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise, subject in every case to all applicable provisions of Federal and State laws; and

(10) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

(Aug. 20, 1954, ch. 774, § 4, 68 Stat. 749.)

§ 535. Membership

Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall, except as provided in this chapter, be determined as the constitution and bylaws of the corporation may provide. Eligibility for membership in the corporation shall be limited to male blood relatives of persons who served between April 12, 1861, and April 9, 1865, as soldiers or sailors of the United States Army, Navy, Marine Corps or Revenue-Cutter Service, and of such State regiments as were called into active service and were subject to orders of United States general officers between the dates above mentioned and were honorably discharged therefrom at the close of such service or who died in such service.

(Aug. 20, 1954, ch. 774, § 5, 68 Stat. 750.)

REVENUE-CUTTER SERVICE

The Coast Guard was established in lieu of the Revenue-Cutter Service and the Life-Saving Service by act Jan. 28, 1915, ch. 20, § 1, 38 Stat. 800. That act was repealed by act Aug. 4, 1949, ch. 393, § 20, 63 Stat. 561, section 1 of which reestablished the Coast Guard by enacting Title 14, Coast Guard.

§ 536. Government; composition; form; meeting plan

The supreme governing authority of the corporation shall be the national encampment thereof, composed of such officers and elected representatives from the several States and other local subdivisions of the corporate organization as shall be provided by the constitution and bylaws: *Provided,* That the form of the government of the corporation shall always be representative of the membership at large and shall not permit the concentration of the control thereof in the hands of a limited number of members or in a self-perpetuating group not so representative. The meetings of the national encampment may be held in any State or Territory or in the District of Columbia.

(Aug. 20, 1954, ch. 774, § 6, 68 Stat. 750.)

§ 537. Council of administration

(a) Duration of authority; responsibilities

During the intervals between the national encampments, the council of administration shall be the governing board of the corporation and shall be responsible for the general policies, program, and activities of the corporation.

(b) Composition of initial council

Upon the enactment of this chapter the membership of the initial council of administration of the corporation shall consist of the present members of the council of administration of the Sons of Union Veterans of the Civil War, the corporation described in section 548 of this title, or such of them as may then be living and are qualified members of said council of administration, to wit: Major General Ulysses S. Grant, 3d, retired; Dewey B. Mead; Reverend Hermon L. Brockway; Laurence J. Parker; George W. Kimball, Frederick K. Davis; and Albert C. Lambert.

(c) Composition of subsequent councils

Thereafter, the council of administration of the corporation shall consist of not less than seven members elected in the manner and for the term prescribed in the constitution and bylaws of the corporation.

(Aug. 20, 1954, ch. 774, § 7, 68 Stat. 750.)

References in Text

Section 548 of this title, referred to in subsec. (b), was omitted from the Code as executed.

§ 538. Officers of corporation; selection, terms, and duties

The officers of the corporation shall be a commander in chief, a senior vice commander in chief, a junior vice commander in chief, a secretary and a treasurer (which latter two offices may be held by one person), and such other officers as may be prescribed in the constitution and bylaws. The officers of the corporation shall be selected in such manner and for such terms and with such duties and titles as may be prescribed in the constitution and bylaws of the corporation.

(Aug. 20, 1954, ch. 774, § 8, 68 Stat. 751.)

§ 539. Principal office; territorial scope of activities; resident agent

(a) The principal office of the corporation shall be located in Trenton, New Jersey, or in such other place as may be determined by the council of administration; but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States and District of Columbia, and Territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Aug. 20, 1954, ch. 774, § 9, 68 Stat. 751.)

§ 540. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the council of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the council of administration who votes for or assents to the making of a loan or advance to an officer or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Aug. 20, 1954, ch. 774, § 10, 68 Stat. 751.)

Cross References

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 541. Nonpolitical nature of corporation

The corporation and its officers and agents as such shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Aug. 20, 1954, ch. 774, § 11, 68 Stat. 751.)

§ 542. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Aug. 20, 1954, ch. 774, § 12, 68 Stat. 751.)

§ 543. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Aug. 20, 1954, ch. 774, § 13, 68 Stat. 751.)

§ 544. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national encampments and council of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose, at any reasonable time.

(Aug. 20, 1954, ch. 774, § 14, 68 Stat. 751.)

§ 545. Repealed. Pub. L. 88-504, § 4(21), Aug. 30, 1964, 78 Stat. 637

Section, act Aug. 20, 1954, ch. 774, § 15, 68 Stat. 751, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 546. Activities report to Congress

On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the National Encampment covering such fiscal year. Such report shall not be printed as a public document.

(Aug. 20, 1954, ch. 774, § 16, 68 Stat. 752.)

§ 547. Exclusive right to name, emblems, seals, and badges

The corporation and its subordinate divisions shall have the sole and exclusive right to use the name, the Sons of Union Veteran's of the Civil War. The corporation shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as it may legally adopt, and such emblems, seals, and badges as have heretofore been used by the Illinois corporation described in section 548 of this title and the right to which may be lawfully transferred to the corporation.

(Aug. 20, 1954, ch. 774, § 17, 68 Stat. 752.)

REFERENCES IN TEXT

Section 548 of this title, referred to in text, was omitted from the Code as executed.

§ 548. Omitted

CODIFICATION

Section, act Aug. 20, 1954, ch. 774, § 18, 68 Stat. 752, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of Illinois and known as the Sons of Union Veterans of the Civil War, was omitted from the Code as executed.

§ 549. Use of assets on dissolution or liquidation

Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the council of administration and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

(Aug. 20, 1954, ch. 774, § 19, 68 Stat. 752.)

§ 550. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Aug. 20, 1954, ch. 774, § 20, 68 Stat. 752.)

CHAPTER 25—THE FOUNDATION OF THE FEDERAL BAR ASSOCIATION

Sec.
571. Corporation created.
572. Omitted.
573. Objects and purposes of corporation.
574. Powers of corporation.
575. Principal office; territorial scope of activities; resident agent.
576. Membership; voting rights.
577. Board of directors.
  (a) Composition of initial board.
  (b) Composition of subsequent boards; tenure.
  (c) Power; voting rights; meetings.
578. Officers of corporation; powers; election; tenure.
579. Distribution of income or assets to members; loans.
580. Nonpolitical nature of corporation.
581. Liability for acts of officers and agents.
582. Prohibition against issuance of stock or payment of dividends.
583. Books and records; inspection.
584. Repealed.
585. Use of assets upon dissolution or liquidation.
586. Qualifications for membership.
587. Exclusive right to name.
588. Definitions.
589. Reservation of right to amend or repeal chapter.

§ 571. Corporation created

The following-named persons, Justin Miller, California; William L. Ellis, Michigan; Bettin Stalling, Illinois; William S. Tyson, North Carolina; Kennedy C. Watkins, District of Columbia; Martin C. Epstein, New York; Laurence H. Axman, District of Columbia; Julian R. Eagle, Pennsylvania; William F. Farrell, Texas; Barratt O'Hara, Junior, Illinois; Joseph F. Brodie, California; Spurgeon E. Paul, Colorado; J. Edward Hauk, Maryland; Ida I. Kloze, Maryland; William R. Vallance, New York; Clyde Baggarly, Virginia; Charles W. Freeman, California; William A. Roberts, District of Columbia; Ralph G. Cornell, Maryland; Horace Russell, Illinois;

Robert E. Freer, Ohio; Frank J. Delany, Illinois; William N. Morell, Minnesota; Heber H. Rice, Maryland; William E. Reese, Virginia; Robert N. Anderson, Virginia; Marguerite Rawalt, Texas; Robert H. Shields, Maryland; Harold Lee, New York; James E. Palmer, Junior, Virginia; John A. McIntire; Maryland; Major General E. M. Brannon, District of Columbia; Maxwell H. Elliott, New York; Edwin L. Fisher, Maryland; Edward E. Odom, California; Rear Admiral Ira H. Nunn, Arkansas; Herman Phleger, California; Arthur J. Klayman, Illinois; F. Joseph Donohue, District of Columbia; Frank J. Parker, New York; Ernest Votaw, Pennsylvania; T. Wade Harrison, Florida; Admiral O. S. Colclough, Pennsylvania; J. Lee Rankin, Nebraska; Stanley N. Barnes, California; Newell Blair, Virginia;

Clarence A. Davis, Nebraska; Ralph E. Becker, New York; George J. Bott, Maryland; John C. Doerfer, Wisconsin; Richard S. Doyle, Maryland; Whitney Gilliland, Iowa; Abe McGregor Goff, Idaho; Earl W. Kintner, Indiana; J. Hervey Macomber, Vermont; William P. McCracken, District of Columbia; Andrew P. Murphy, Junior, Massachusetts; Lambert McAllister, Ohio; Joe E. Moody, Missouri; Lawrence C. Moore, District of Columbia; Perry Morton, Nebraska; Emory T. Nunneley, Pennsylvania; William Simon, District of Columbia; Conrad Snow, New Hampshire; William H. Timbers, Connecticut; F. Trowbridge vomBaur, District of Columbia; Frank H. Weitzel, District of Columbia; Curtis C. Williams, Ohio; Emory J.

Woodall, Virginia; Wendell Barnes, Oklahoma; Roger S. Foster, District of Columbia; Calvert Magruder, Massachusetts;

George C. Sweeney, Massachusetts; John C. Knox, New York; Edward J. Dimock, New York; David N. Edelstein, New York; Clarence G. Galston, New York; John Knight, New York; John J. Parker, North Carolina; Armistead M. Dobie, Virginia; Harry E. Watkins, West Virginia; Joseph C. Hutcheson, Virginia; Thomas F. McAllister, Michigan; F. Ryan Duffy, Wisconsin; John Caskie Collet, Missouri; John Sanborn, Minnesota; Robert C. Bell, Minnesota; William Denman, California; Albert Lee Stephens, California; Alfred P. Murrah, Oklahoma; George Thomas Washington, District of Columbia; Charles Fahy, District of Columbia; Bolitha J. Laws, District of Columbia; F. Dickinson Letts, District of Columbia; Luther W. Youngdahl, District of Columbia; William P. Cole, Junior, District of Columbia; Paul D. Shriver, Guam; Dennis F. Donovan, Minnesota;

Alfred C. Clapp, New Jersey; L. Dale Coffman, California; John T. Fey, District of Columbia; Jefferson B. Fordham, Pennsylvania; Erwin N. Griswold, Massachusetts; Albert J. Harno, Illinois; L. A. Haslup, Florida; Harold C. Havighurst, Illinois; Paul M. Hebert, Louisiana; Elwood H. Hettrick, Massachusetts; Jacob D. Hyman, New York; Schuyler W. Jackson, Kansas; George M. Johnson, District of Columbia; Gordon Johnston, Colorado; Charles H. King, Michigan; Robert Kingsley, California; Arthur Larson, Pennsylvania; J. A. McClain, Junior, North Carolina; Glenn A. McCleary, Missouri; F. J. Moreau, Kansas; William T. Muse, Virginia; Russell D. Niles, New York; Maynard E. Pirsig, Minnesota; F. D. G. Ribble, Virginia; John Ritchie, Wisconsin; David E. Snodgrass, California;

Carl Spaeth, California; Elvis J. Stahr, Junior, Kentucky; Robert S. Stevens, New York; Wesley Sturges, Connecticut; Harry D. Taft, Illinois; Reverend Joseph T. Tinnelly, New York; Martin Tollefson, Iowa; Leon H. Wallace, Indiana; Clayton E. Williams, Virginia; Roscoe L. Barrow, Ohio; Henry P. Brandis, Junior, Colorado; A. L. Gausewitz, New Mexico; Spencer L. Kimball, Utah; C. W. Leaphart, Montana; Daniel J. McKenna, Michigan; Joseph O'Meara, Indiana; R. A. Rasco, Florida; Seward Reese, Oregon; Earl Sneed, Junior, Oklahoma; Brendan F. Brown, District of Columbia; O. H. Thormodsgard, North Dakota; Ray Forrester, Louisiana; are created a body corporate, of the District of Columbia and there domiciled, by the name of "The Foundation of the Federal Bar Association" (hereafter referred to as the "corporation") and by such name shall be known and have perpetual succession and the powers and limitations contained in this chapter.

(Aug. 24, 1954, ch. 911, § 1, 68 Stat. 795.)

Section Referred to in Other Sections

This section is referred to in section 576 of this title.

§ 572. Omitted

Codification

Section, act Aug. 24, 1954, ch. 911, § 2, 68 Stat. 796, which related to the procedure for the organization of the corporation, was omitted from the Code as executed.

§ 573. Objects and purposes of corporation

The objects and purposes of the corporation are as follows:

(1) To receive and hold by bequest, devise, gift, grant, purchase, lease, or otherwise, either absolutely or jointly with any other person or persons or corporation, for any of the purposes hereinafter set forth, any property, real, personal, or mixed, or any undivided interest therein; to convey, sell, or otherwise dispose of such property, and to invest, reinvest, administer, and deal with the same in such manner as in the judgment of the directors of the corporation will best promote the purposes of the corporation, but without and free from restrictions applicable to trustees or trust funds,

(2) To apply its income, and if the corporation so decides, all or any part of its principal, exclusively to the following educational, charitable scientific, or literary purposes, or any of them:

(a) To advance the science of jurisprudence;

(b) To uphold high standards for the Federal judiciary and for attorneys representing the Government of the United States;

(c) To promote and improve the administration of justice, including the study of means for the improved handling of the legal business of the several Federal departments and establishments;

(d) To facilitate the cultivation and diffusion of knowledge and understanding of the law and the promotion of the study of the law and the science of jurisprudence and research therein, through the maintenance of a law library, the establishment of seminars, lectures, and studies devoted to the law, and the publication of addresses, essays, treatises, reports and other literary works by students, practitioners, and teachers of the law; and

(e) To provide for the acquisition, preservation and exhibition of rare books and documents, sculptures, paintings and other objects of art and historical interest relating to the law, the courts and the legal profession,

(3) To do any and all things necessary or incident to the accomplishment of the foregoing purposes.

(Aug. 24, 1954, ch. 911, § 3, 68 Stat. 797.)

§ 574. Powers of corporation

The corporation shall have the following powers:

(a) To sue and be sued, complain and defend in any court of competent jurisdiction.

(b) To adopt, alter, and use a corporate seal.

(c) To choose such officers, managers, and agents as the business of the corporation may require.

(d) To adopt, amend, apply, and administer bylaws, not inconsistent with the laws of the United States of America or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs.

(e) To contract and be contracted with.

(f) To take and hold by lease, gift, purchase, grant, devise, bequest, or otherwise, any property, real or personal, or mixed, necessary for carrying into effect the purposes of the corporation, subject to applicable provisions of law of any State (1) governing the amount or kind of real and personal property which may be held by, or (2) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State.

(g) To transfer, lease, or convey real or personal property.

(h) To borrow money for the purposes of the corporation, and issue bonds or other evidences of indebtedness therefor, and secure the same by mortgage or pledge subject to applicable Federal or State laws.

(i) To do any and all acts necessary and proper to carry out the purposes of the corporation.

(Aug. 24, 1954, ch. 911, § 4, 68 Stat. 797.)

§ 575. Principal office; territorial scope of activities; resident agent

(a) The corporation shall have its principal office in the District of Columbia and may conduct its activities at any place or places in the United States, or elsewhere.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice served upon such agent, or mailed to such agent at such business address, shall be deemed service upon or notice to the corporation.

(Aug. 24, 1954, ch. 911, § 5, 68 Stat. 798.)

§ 576. Membership; voting rights

(a) The membership of the corporation consists of the persons listed in section 571 of this title, the persons who hereafter become members of the National Council of the Federal Bar Association, a non-profit corporation of the District of Columbia (for the duration of their membership as such), and such others as the corporation may provide for by bylaw or otherwise.

(b) Each member of the corporation may cast one vote on each matter submitted to a vote of the members.

(Aug. 24, 1954, ch. 911, § 6, 68 Stat. 798.)

§ 577. Board of directors

(a) Composition of initial board

The governing body of the corporation is its board of directors, which during 1954, will comprise the following:

Bettin Stalling, of Illinois;
Stanley N. Barnes, of California;
Clarence A. Davis, of Nebraska;
Earl W. Kintner, of Indiana;
Lawrence H. Axman, District of Columbia;
Wendell Barnes, of Oklahoma;
William L. Ellis, of Michigan; and
Arthur J. Klayman, of Illinois,

who are currently members of the executive committee of the Federal Bar Association.

(b) Composition of subsequent boards; tenure

Thereafter the board of directors will consist of twelve persons elected, and subject to removal at any time, by majority vote of the members of the corporation. The term of office of the elected members of the board is for six years, except that, for the first elected board, four shall be elected for a term of two years, four for a term of four years, and four for a term of six years. Vacancies in the board of directors, caused by expiration of the members' terms or otherwise, shall be filled by a majority vote of the members of the corporation.

(c) Power; voting rights; meetings

The board of directors may exercise, or provide for the exercise of, the powers herein granted to the corporation, and each member of the board shall have one vote upon all matters determined. The board shall meet at least annually. The board may delegate its powers to a prudential committee subject to the direction of, and reporting to, the board. The president of the corporation shall act as chairman of the board and of the committee.

(Aug. 24, 1954, ch. 911, § 7, 68 Stat. 798.)

§ 578. Officers of corporation; powers; election; tenure

(a) The officers of the corporation shall consist of a president, vice president, secretary, treasurer, historian, and such other officers as may be determined by bylaw.

The officers shall have such powers, consistent with this charter, as may be provided by bylaw.

(b) The officers shall be elected by the board of directors at its initial meeting and thereafter at its annual designated meeting and shall serve for a term of one year.

(Aug. 24, 1954, ch. 911, § 8, 68 Stat. 799.)

§ 579. Distribution of income or assets to members; loans

(a) No part of the net earnings of the corporation shall inure to the benefit of any member, officer, director, or private individual, nor shall any member or private individual be liable for the obligations of the corporation.

(b) The corporation shall not make any loans to its officers or members of the board of directors. Any officer or director who votes for, assents to, or participates in the making of a loan or advance to an officer or director shall be jointly and severally liable to the corporation for the amount of such loan until its repayment.

(Aug. 24, 1954, ch. 911, § 9, 68 Stat. 799.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 580. Nonpolitical nature of corporation

(a) None of the activities, funds, property, or income of the corporation shall be used in carrying on any political activity, directly or indirectly, or in attempting to influence legislation.

(b) Neither the corporation nor its officers or directors shall, as such, contribute to or otherwise support or assist any political party or candidate for elective public office.

(Aug. 24, 1954, ch. 911, § 10, 68 Stat. 799.)

§ 581. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents within the scope of their authority.

(Aug. 24, 1954, ch. 911, § 11, 68 Stat. 799.)

§ 582. Prohibition against issuance of stock or payment of dividends

The corporation shall not issue any shares of stock, nor declare or pay dividends.

(Aug. 24, 1954, ch. 911, § 12, 68 Stat. 799.)

§ 583. Books and records; inspection

The corporation shall keep correct and complete books and records of account. It shall also keep minutes of the proceedings of its membership and of the board of directors or committees having any of the authority of the board of directors. It shall also keep at its principal office a record giving the names and addresses of its members, directors, and officers. All books and records of the corporation may be inspected by any member or his agent or attorney, for any proper purpose, at any reasonable time.

(Aug. 24, 1954, ch. 911, § 13, 68 Stat. 799.)

§ 584. Repealed. Pub. L. 88–504, § 4(22), Aug. 30, 1964, 78 Stat. 637

Section, act Aug. 24, 1954, ch. 911, § 14, 68 Stat. 799, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 585. Use of assets upon dissolution or liquidation

Upon final dissolution or liquidation of the corporation, and after the discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation shall be deposited in the Treasury of the United States as a miscellaneous receipt.

(Aug. 24, 1954, ch. 911, § 15, 68 Stat. 800.)

§ 586. Qualifications for membership

No person who is a member of, or who advocates the principles of, any organization believing in, or working for, the overthrow of the United States Government by force or violence, and no person who refuses to uphold and defend the Constitution of the United States, shall be privileged to become, or continue to be, a member, director, or officer of the corporation.

(Aug. 24, 1954, ch. 911, § 16, 68 Stat. 800.)

§ 587. Exclusive right to name

The corporation shall have the sole and exclusive right to use the name, "The Foundation of the Federal Bar Association".

(Aug. 24, 1954, ch. 911, § 17, 68 Stat. 800.)

§ 588. Definitions

As used in this chapter the word "State" includes the District of Columbia.

(Aug. 24, 1954, ch. 911, § 18, 68 Stat. 800.)

§ 589. Reservation of right to amend or repeal chapter

The right to repeal, alter, or amend this chapter at any time is expressly reserved to the Congress.

(Aug. 24, 1954, ch. 911, § 19, 68 Stat. 800.)

CHAPTER 26—THE NATIONAL FUND FOR MEDICAL EDUCATION

Sec.

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§ 601. Corporation created

The following persons: Donald C. Balfour, M.D., Rochester, Minnesota; Louis H. Bauer, M.D., Hempstead, New York; Margaret Culkin Banning, Duluth, Minnesota; E. N. Beesley, Indianapolis, Indiana; James F. Bell, Minneapolis, Minnesota; Elmer H. Bobst, New York, New York; Earl Bunting, Washington, District of Columbia; Carl Byoir, New York, New York; James L. Camp, Junior, Franklin, Virginia; Champ Carry, Chicago, Illinois; Robert S. Cheek, Nashville, Tennessee; Colby M. Chester, New York, New York; Frank A. Christensen, New York, New York; Paul F. Clark, Boston, Massachusetts; Lucius D. Clay, New York, New York; S. Sloan Colt, Westhampton Beach, New York; George H. Coppers, New York, New York; William E. Cotter, Scarsdale, New York; C. R. Cox, New York, New York; Howard S. Cullman, New York, New York; Walter J. Cummings, Chicago, Illinois; Willard K. Denton, New York, New York; Raoul E. Desvernine, Washington, District of Columbia; Michael Francis Doyle, Philadelphia, Pennsylvania;

Victor Emanuel, New York, New York; Peter M. Fraser, Hartford, Connecticut; Bernard F. Gimbel, Greenwich, Connecticut; William B. Given, Junior, New York, New York; Robert M. Hanes, Winston-Salem, North Carolina; David M. Heyman, New York, New York; Oveta Culp Hobby, Houston, Texas; Herbert Hoover, New York, New York; B. Brewster Jennings, Glen Head, New York; Eric A. Johnston, Washington, District of Columbia; Devereux C. Josephs, New York, New York; Meyer Kestnbaum, Chicago, Illinois; Edgar Kobak, New York, New York; Allan B. Kline, Chicago, Illinois; Robert Lehman, New York, New York; Samuel D. Leidesdorf, New York, New York; Leroy A. Lincoln, New York, New York; Ralph Lowell, Boston, Massachusetts; Benjamin E. Mays, Atlanta, Georgia; Neil McElroy, Cincinnati, Ohio; George W. Merck, West Orange, New Jersey; Don G. Mitchell, New York, New York; George G. Montgomery, San Francisco, California; Seeley G. Mudd, M.D., Los Angeles, California;

Charles S. Munson, New York, New York; Herschel D. Newsom, Washington, District of Columbia; Edward J. Noble, New York, New York; William S. Paley, New York, New York; Thomas I. Parkinson, New York, New York; F. D. Patterson, Tuskegee, Alabama; Joseph M. Proskauer, New York, New York; B. Earl Puckett, New York, New York; Victor F. Ridder, New York, New York; Owen J. Roberts, Philadelphia, Pennsylvania; Winthrop Rockefeller, Little Rock, Arkansas; Anna M. Rosenberg, New York, New York; T. J. Ross, New York, New York; Howard A. Rusk, M.D., New York, New York; Frank P. Samford, Birmingham, Alabama; Lester N. Selig, Chicago, Illinois; Eustace Seligman, New York, New York; Spyros P. Skouras, New York, New York; Alfred P. Sloan, Junior, New York, New York; George F. Smith, New Brunswick, New Jersey; Harold V. Smith, New York, New York; Harold E. Stassen, Washington, District of Columbia; John P. Stevens, Junior, New York, New York; William C. Stolk, New York, New York; Harvey B. Stone, M.D., Baltimore, Maryland;

Reese H. Taylor, Los Angeles, California; Juan T. Trippe, Greenwich, Connecticut; Thomas J. Watson, New York, New York; Ernest T. Weir, Pittsburgh, Pennsylvania; George Whitney, New York, New York; Robert E. Wilson, Chicago, Illinois; R. W. Woodruff, Atlanta, Georgia; Wilson W. Wyatt, Louisville, Kentucky; J. D. Zellerbach, San Francisco, California; and John S. Zinsser, Philadelphia, Pennsylvania; and their successors, are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the National Fund for Medical Education (hereinafter referred to as the corporation) and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Aug. 28, 1954, ch. 1036, § 1, 68 Stat. 891.)

§ 602. Omitted

CODIFICATION

Section, act Aug. 28, 1954, ch. 1036, § 2, 68 Stat. 892, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 603. Purposes of corporation

The purposes of the corporation shall be to raise from private sources, disperse and administer funds for medical education and in connection therewith to take other appropriate action to promote and foster the following objectives:

(1) The interpretation of the needs of medical education to the American public;

(2) The encouragement of the growth, development and advancement of constantly improving standards and methods in the education and training of all medical manpower in the Nation; and

(3) The preservation of academic freedom in the institutions of medical education.

(Aug. 28, 1954, ch. 1036, § 3, 68 Stat. 892.)

§ 604. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm or individual and to hold any property, real, personal or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise, subject in every case to all applicable provisions of Federal and State laws.

(Aug. 28, 1954, ch. 1036, § 4, 68 Stat. 892.)

§ 605. Principal office; territorial scope of activities; resident agent

(a) The principal office of the corporation shall be located in New York City, New York, or in such other place as may be later determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Aug. 28, 1954, ch. 1036, § 5, 68 Stat. 893.)

§ 606. Membership; voting rights

(a) Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall, except as provided in this chapter, be determined as the constitution and bylaws of the corporation may provide.

(b) Each member of the corporation, other than honorary, sustaining or associate members, shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

(Aug. 28, 1954, ch. 1036, § 6, 68 Stat. 893.)

§ 607. Board of directors

(a) Composition of initial board

Upon the enactment of this chapter the membership of the initial board of directors of the corporation shall consist of the present members of the executive committee of the National Fund for Medical Education, Incorporated, the corporation described in section 616 of this title, or such of them as may then be living and are qualified members of said executive committee, to wit: Earl Bunting, Washington, District of Columbia; Colby M. Chester, New York, New York; S. Sloan Colt, Westhampton Beach, New York; William E. Cotter, Scarsdale, New York; Victor Emanuel, New York, New York; William B. Given, Junior, New York, New York; Herbert Hoover, New York, New York; Devereux C. Josephs, New York, New York; Samuel D. Leidesdorf, New York, New York; Leroy A. Lincoln, New York, New York; Eustace Seligman, New York, New York; Juan T. Trippe, Greenwich, Connecticut; and John S. Zinsser, Philadelphia, Pennsylvania; together with the following members of the medical profession, namely, Donald C. Balfour, M.D., Rochester, Minnesota; Louis H. Bauer, M.D., Hempstead, New York; Howard A. Rusk, M.D., New York, New York; and Harvey B. Stone, M.D., Baltimore, Maryland.

(b) Composition of subsequent boards; tenure

Thereafter, the board of directors of the corporation shall consist of such number (not less than fifteen and not more than twenty-five, four of whom shall at all times be members of the medical profession), shall be selected in such manner (including the filling of vacancies), and shall serve for such term as may be prescribed in the constitution and bylaws of the corporation.

(c) Duties and responsibilities

The board of directors shall be the governing board of the corporation and, during the intervals between the meetings of members, shall be responsible for the general policies and program of the corporation and for the control of all contributed funds as may be raised by the corporation.

(Aug. 28, 1954, ch. 1036, § 7, 68 Stat. 893.)

REFERENCES IN TEXT

Section 616 of this title, referred to in subsec. (a), was omitted from the Code as executed.

§ 608. Officers of corporation; election; tenure; duties

(a) The officers of the corporation shall be a chairman of the board of directors, a president, one or more vice presidents (as may be prescribed in the constitution and bylaws of the corporation), a secretary, and a treasurer, and one or more assistant secretaries and assistant treasurers as may be provided in the constitution and bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

(Aug. 28, 1954, ch. 1036, § 8, 68 Stat. 894.)

§ 609. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members, directors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan or advance to an officer, director or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Aug. 28, 1954, ch. 1036, § 9, 68 Stat. 894.)

§ 610. Nonpolitical nature of corporation

The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Aug. 28, 1954, ch. 1036, § 10, 68 Stat. 894.)

§ 611. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Aug. 28, 1954, ch. 1036, § 11, 68 Stat. 894.)

§ 612. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Aug. 28, 1954, ch. 1036, § 12, 68 Stat. 894.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 613. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

(Aug. 28, 1954, ch. 1036, § 13, 68 Stat. 894.)

§ 614. Repealed. Pub. L. 88–504, § 4(23), Aug. 30, 1964, 78 Stat. 637

Section, act Aug. 28, 1954, ch. 1036, § 14, 68 Stat. 894, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 615. Use of assets upon dissolution or liquidation

Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

(Aug. 28, 1954, ch. 1036, § 15, 68 Stat. 895.)

§ 616. Omitted

CODIFICATION

Section, act Aug. 28, 1954, ch. 1036, § 16, 68 Stat. 895, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of New York and known as the National Fund for Medical Education, Incorporated, was omitted from the Code as executed.

§ 617. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Aug. 28, 1954, ch. 1036, § 17, 68 Stat. 895.)

CHAPTER 27—LEGION OF VALOR OF THE UNITED STATES OF AMERICA

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636. Eligibility for membership.
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  (a) Composition.
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640. Nonpolitical nature of corporation.
641. Liability for acts of officers and agents.
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645. Use of assets upon dissolution or liquidation.
646. Omitted.
647. Reservation of right to amend or repeal chapter.
648. Change of name to Legion of Valor of the United States of America, Incorporated.

CHANGE OF NAME

The name of the corporation was changed from the Army and Navy Legion of Valor of the United States of America, Incorporated, to the Legion of Valor of the United States of America, Incorporated, by Pub. L. 87–56, § 1, June 21, 1961, 75 Stat. 95. See section 648 of this title.

§ 631. Corporation created

The following persons, to wit: James G. Walsh, Distinguished Service Cross, 50 Patten Street, Jamaica Plain, Massachusetts; Robert G. Woodside, Distinguished Service Cross, 3858 First Avenue, South, Saint Petersburg, Florida; Deming Bronson, Congressional Medal of Honor, route 2, box 322, Roseburg, Oregon; George E. Parker, Junior, Distinguished Service Cross, Lutherville, Maryland; Leo L. Zingale, Distinguished Service Cross, 3612 East One Hundred and Seventeenth Street, Cleveland, Ohio; John Davis, Congressional Medal of Honor, 800 North Shore Drive, Saint Petersburg, Florida; Glen O. McEwen, Distinguished Service Cross, box 737, Spokane 3, Washington; Ben. Prager, Distinguished Service Cross, 316 Court House, Pittsburgh, Pennsylvania; Earle D. Norton, Distinguished Service Cross, 29 Broadway, New York, New York; Ray Eastman, Navy Cross, 396 LaSalle Avenue, Buffalo 15, New York; Ben Neff, Distinguished Service Cross, 208 Evanston Building, Minneapolis, Minnesota; Warren L. Granger, Navy Cross, 703 Sixteenth Street, Alexandria, Virginia; William Oliver Smith, Distinguished Service Cross, 917 Holt Drive, Raleigh, North Carolina; Robert M. Gaynor, Distinguished Service Cross, 621 South Taylor Street, Arlington, Virginia; Leon M. Hanna, Distinguished Service Cross, box 217, McHenry, Illinois; Bruno O. Forsterer, Congressional Medal of Honor, Walker Street, Oakland, California; Elmer R. Hangartner, Distinguished Service Cross, 2103 Lynn Avenue, Altoona, Wisconsin; Thomas Eadie, Congressional Medal of Honor, 120 Gibbs Avenue, Newport, Rhode Island; John D. Hawk, Congressional Medal of Honor, 3243 Solie, Bremerton, Washington; Leon A. Dombrowski, Distinguished Service Cross, 137 Highland Drive, Williamsville, New York; William C. Hardie, Distinguished Service Cross, post-office box 1396, Billings, Montana; E. Lee Henderson, Navy Cross, 10948 Fruitland Drive, North Hollywood, California; Othel J. Gee, Distinguished Service Cross, 416 Medical Arts Building, Oklahoma City, Oklahoma; Leslie Hardy, Distinguished Service Cross, 1021 East Sierra Vista, Phoenix, Arizona; A. Allen Johnson, Distinguished Service Cross, 953 Dixwell Avenue, New Haven, Connecticut; Dennis C. Turner, Distinguished Service Cross, 1008 Missouri Avenue, Houston, Texas; Columbus Whipple, Distinguished Service Cross, 2704 Brinker Avenue, Ogden, Utah; John D. Licklider, Distinguished Service Cross, 229 Woodrow Avenue, Martinsburg, West Virginia; Murry Wolffe, Navy Cross, 240 Gregory Avenue, Passaic, New Jersey; Willard H. Marshall, Distinguished Service Cross, 31 West Whitney Street, Sheridan, Wyoming; Peter Paul Martinek, Navy Cross, 1731 South Brand Boulevard, Glendale, California; Lucian Adams, Congressional Medal of Honor, 213 Santa Clara Street, San Antonio, Texas; and Edgar H. Bain, post-office box 2, Goldsboro, North Carolina, and their successors, are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Legion of Valor of the United States of America, Incorporated (hereinafter referred to as the "corporation"), and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Aug. 4, 1955, ch. 546, § 1, 69 Stat. 486; June 21, 1961, Pub. L. 87-56, § 1, 75 Stat. 95.)

CHANGE OF NAME

"Legion of Valor of the United States of America, Incorporated" was substituted for "Army and Navy Legion of Valor of the United States of America, Incorporated" on authority of section 1 of Pub. L. 87-56. See section 648 of this title.

§ 632. Omitted

CODIFICATION

Section, act Aug. 4, 1955, ch. 546, § 2, 69 Stat. 487, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 633. Principles and objects of corporation

(a) The principles underlying the corporation are patriotic allegiance to the United States of America, fidelity to its Constitution and law, the security of civil liberty, and the permanence of free institutions.

(b) The objects of the corporation are to cherish the memories of the valiant deeds in arms for which the Congressional Medal of Honor, the Distinguished Service Cross, Air Force Cross, and the Navy Cross are the insignia; to promote true fellowship among its members; to advance the best interests of members of the Armed Forces of the United States of America; to extend all possible relief to needy members of the corporation, their widows, and children; and to stimulate patriotism in the minds of our youth by encouraging the study of the patriotic, military, and naval history of our Nation.

(Aug. 4, 1955, ch. 546, § 3, 69 Stat. 487; June 21, 1961, Pub. L. 87-56, § 2, 75 Stat. 95.)

AMENDMENTS

1961—Subsec. (b). Pub. L. 87-56 inserted "Air Force Cross" following "Distinguished Service Cross,".

§ 634. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to charge and collect membership dues;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws.

(Aug. 4, 1955, ch. 546, § 4, 69 Stat. 487.)

§ 635. Principal office; territorial scope of activities; resident agent

(a) The principal office of the corporation shall be located in Pittsburgh, Pennsylvania, or in such other place as may later be determined by the board of directors, but the activities of the corporation shall not be confined to that place and may be conducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Aug. 4, 1955, ch. 546, § 5, 69 Stat. 487.)

§ 636. Eligibility for membership

(a) Requirements

All persons of good moral character who are, have been, or may become members of the Armed Forces of the United States or any foreign country of whatever rank, who have received or who may hereafter receive a Congressional Medal of Honor, a Distinguished Service Cross, Air Force Cross or a Navy Cross awarded for acts of extraordinary heroism in connection with military or naval operations against an armed enemy, or for heroism of a specially distinguished character, shall be eligible for active membership in the corporation.

(b) Power to extend membership to parents and descendants

The corporation shall have the power, moreover, to extend eligibility for membership, either active or associate, to parents and lineal descendants of the persons described in subsection (a) of this section under such conditions and upon such terms as the corporation may specify in its constitution and bylaws.

(c) Voting rights

Each member of the corporation, other than associate members, shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

(d) Exception

Notwithstanding the limitations set out in subsections (a) and (b) of this section, any member in good standing of the corporate body referred to in section 646 of this title shall be admitted on request to comparable membership in the corporation created by this chapter.

(Aug. 4, 1955, ch. 546, § 6, 69 Stat. 488; June 21, 1961, Pub. L. 87-56, § 2, 75 Stat. 95.)

REFERENCES IN TEXT

Section 646 of this title, referred to in subsec. (a), was omitted from the Code as executed.

AMENDMENTS

1961—Subsec. (a). Pub. L. 87-56 included persons who have received or who may receive the Air Force Cross.

§ 637. Governing body

(a) Composition

Upon the enactment of this chapter the membership of the initial board of directors of the corporation shall consist of the present officers of the Army and Navy Legion of Valor, referred to in section 646 of this title, or such of them as may then be living and are qualified officers of that corporation, to wit: William Oliver Smith, of Raleigh, North Carolina; Peter Paul Martinek, of Glendale, California; Lucian Adams, of San Antonio, Texas; Edgar H. Bain, of Goldsboro, North Carolina; and Ben Prager, of Pittsburgh, Pennsylvania, who are respectively, the commander, the senior vice commander, the junior vice commander, the chaplain, and the adjutant and quartermaster.

(b) Tenure

Thereafter, the board of directors of the corporation shall consist of such number (not less than ten), shall be selected in such manner (including the filling of vacancies), and shall serve for such terms as may be prescribed in the constitution and bylaws of the corporation.

(c) Duties

The board of directors shall be the governing board of the corporation and shall, during the intervals between corporation meetings, be responsible for the general policies and program of the corporation. The board shall be responsible for all finances of the corporation.

(Aug. 4, 1955, ch. 546, § 7, 69 Stat. 488.)

REFERENCES IN TEXT

Section 646 of this title, referred to in subsec. (d), was omitted from the Code as executed.

§ 638. Officers of corporation; election; tenure; duties

(a) The officers of the corporation shall be a commander, a senior vice commander, a junior vice commander, a chaplain, an adjutant and quartermaster, a judge advocate, an inspector, a surgeon, a historian, and such aides-de-camp as may be provided in the constitution and bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

(Aug. 4, 1955, ch. 546, § 8, 69 Stat. 489.)

§ 639. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any member, officer, or director, or be distributable to any such person otherwise than upon dissolution or final liquidation of the corporation as provided in section 645 of this title. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the executive committee of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation, and any officer who participates in the making of such loan, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Aug. 4, 1955, ch. 546, § 9, 69 Stat. 489.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 640. Nonpolitical nature of corporation

The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Aug. 4, 1955, ch. 546, § 10, 69 Stat. 489.)

§ 641. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Aug. 4, 1955, ch. 546, § 11, 69 Stat. 489.)

§ 642. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Aug. 4, 1955, ch. 546, § 12, 69 Stat. 489.)

§ 643. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

(Aug. 4, 1955, ch. 546, § 13, 69 Stat. 489.)

§ 644. Repealed. Pub. L. 88-504, § 4(24), Aug. 30, 1964, 78 Stat. 637

Section, act Aug. 4, 1955, ch. 546, § 14, 69 Stat. 489, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 645. Use of assets upon dissolution or liquidation

Upon final dissolution or liquidation of the corporation, and after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

(Aug. 4, 1955, ch. 546, § 15, 69 Stat. 490.)

Section Referred to in Other Sections

This section is referred to in section 639 of this title.

§ 646. Omitted

Codification

Section, act Aug. 4, 1955, ch. 546, § 16, 69 Stat. 490, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of New York and known as the Army and Navy Legion of Valor of the United States of America, Incorporated, was omitted from the Code as executed.

§ 647. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Aug. 4, 1955, ch. 546, § 17, 69 Stat. 490.)

§ 648. Change of name to Legion of Valor of the United States of America, Incorporated

The corporation known as the Army and Navy Legion of Valor of the United States of America, Incorporated, which was incorporated by the Act entitled "An Act to incorporate the Army and Navy Legion of Valor of the United States of America", approved August 4, 1955 (69 Stat. 486), shall be known and designated on and after June 21, 1961 as the Legion of Valor of the United States of America, Incorporated, and any reference to such corporation under the name of the Army and Navy Legion of Valor of the United States of America, Incorporated, shall be held to refer to such corporation under and by the name of the Legion of Valor of the United States of America, Incorporated.

(Pub. L. 87-56, § 1, June 21, 1961, 75 Stat. 95.)

References in Text

The Act entitled "An Act to incorporate the Army and Navy Legion of Valor of the United States of America", approved August 4, 1955, referred to in text, is act Aug. 4, 1955, ch. 546, 69 Stat. 486, which is classified generally to this chapter (§ 631 et seq.). For complete classification of this Act to the Code, see Tables volume.

Codification

Section was not enacted as a part of act Aug. 4, 1955, ch. 546, 69 Stat. 486, which comprises this chapter.

CHAPTER 28—NATIONAL MUSIC COUNCIL

Sec.
661. Corporation created.
662. Omitted.
663. Objects and purposes of corporation.
664. Powers of corporation.
665. Territorial scope of activities; resident agent; principal office.
666. Membership; voting rights.
667. Governing body; composition; tenure.
668. Officers of corporation; powers and duties.
669. Distribution of income or assets to members; loans.
670. Nonpolitical nature of corporation.
671. Liability for acts of officers and agents.
672. Prohibition against issuance of stock or payment of dividends.
673. Books and records; inspection.
674. Repealed.
Sec.
675. Use of assets upon dissolution or liquidation.
676. Exclusive right to name, seals, emblems, and badges.
677. State and territorial agents.
678. Omitted.
679. Effective date.
680. Reservation of right to amend or repeal chapter.

§ 661. Corporation created

The following persons: Stanley Adams, New York, New York; Irl Allison, Austin, Texas; Leon Barzin, New York, New York; Marion Bauer, New York, New York; Edwine Behre, New York, New York; Thomas H. Belviso, Pelham Manor, New York; Robert Russell Bennett, New York, New York; Duane Branigan, Champaign, Illinois; Howard C. Bronson, Hague, Virginia; John Brownlee, New York, New York; L. Perkins Bull, Glencoe, Illinois; Earl Campbell, Washington, District of Columbia; Leon Carson, New York, New York; Robert A. Choate, Boston, Massachusetts; James Francis Cooke, Philadelphia, Pennsylvania; Paul Creston, Yonkers, New York; Kathleen Davison, Des Moines, Iowa; Norman Dello Joio, New York, New York; Vera Wardner Dougan, Beloit, Wisconsin; Walter G. Douglas, New York, New York; Deane Edwards, Rye, New York; S. Lewis Elmer, New York, New York; Herman Finkelstein, New York, New York; Charles Warren Fox, Rochester, New York; Arthur Flagler Fultz, Boston, Massachusetts;

Percy Walter Gatz, White Plains, New York; Karl Geiringer, Boston, Massachusetts; Ira Gershwin, Beverly Hills, California; Ray Green, New York, New York; Vernon Hammond, Philadelphia, Pennsylvania; Howard Hanson, Rochester, New York; Otto A. Harbach, New York, New York; Ernest E. Harris, New York, New York; Arthur A. Hauser, Berwyn, Pennsylvania; Carl Haverlin, New York, New York; Patrick Hayes, Washington, District of Columbia; Frank W. Hill, Cedar Falls, Iowa; Mark M. Horblit, Boston, Massachusetts; Edwin Hughes, New York, New York; Edna Wallace Johnston, Winter Park, Florida; Archie N. Jones, Austin, Texas; S. Turner Jones, Baldwin, New York; Arthur Judson, New York, New York; Harrison Keller, Boston, Massachusetts; Ruth Kemper, New York, New York; Raymond Kendall, Los Angeles, California; Richard Korn, New York, New York; Olga Koussevitzky, Lenox, Massachusetts; Otto Luening, New York, New York; Mae MacKenzie, Pittsburgh, Pennsylvania;

Joseph E. Maddy, Ann Arbor, Michigan; Donald F. Malin, Boston, Massachusetts; Marie Marti, Detroit, Michigan; Jane R. Mayer, New York, New York; Charles Mayer, New York, New York; Peter Mennin, New York, New York; Ada Holding Miller, Providence, Rhode Island; Howard Mitchell, Washington, District of Columbia; Dmitri Mitropoulos, New York, New York; Douglas Moore, New York, New York; Harold C. Morris, New York, New York; Carol Morse, New York, New York; Walter W. Naumburg, New York, New York; Herman Neuman, New York, New York; Geoffrey O'Hara, Pawling, New York; Ralph Sylvester Peer, New York, New York; Gustave Reese, New York, New York; Claire R. Reis, New York, New York; Cornelia B. Rogers, New York, New York; Willard Rhodes, New York, New York; James

Sample, Erie, Pennsylvania; William A. Schroeder, New York, New York; Elie Siegmeister, Great Neck, New York; Izler Soloman, Peekskill, New York; Sigmund Spaeth, New York, New York;

Harold Spivacke, Washington, District of Columbia; Marshall Stearns, New York, New York; William Richard Steinway, New York, New York; Paul Swarm, Decatur, Illinois; Bernard U. Taylor, New York, New York; Anthony Ralph Teta, New Haven, Connecticut; Charles A. Wall, New York, New York; Sidney William Wattenberg, New York, New York; Eleanor Hale Wilson, Seattle, Washington; Philip Wyman, Cincinnati, Ohio; and their associates and successors, are created a body corporate by the name of National Music Council (hereinafter referred to as the "Corporation") and by such name shall be known and have perpetual succession and the powers and limitations contained in this chapter.

(Aug. 1, 1956, ch. 824, § 1, 70 Stat. 794.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 679 of this title.

§ 662. Omitted

CODIFICATION

Section, act Aug. 1, 1956, ch. 824, § 2, 70 Stat. 795, which related to the procedure for the completion of the organization of the corporation, was omitted as executed.

§ 663. Objects and purposes of corporation

The objects and purposes of the Corporation shall be—

(1) to provide the member organizations with a forum for the free discussion of problems affecting national musical life in this country;

(2) to speak with one voice for music whenever an authoritative expression of opinion is desirable;

(3) to provide for the interchange of information between the various member organizations;

(4) to encourage the coordination of efforts of the member organizations, thereby avoiding duplication or conflict;

(5) to organize exploratory surveys or fact-finding commissions whenever the Corporation shall deem them necessary for the solution of important problems; and

(6) to encourage the development and appreciation of the art of music and to foster the highest ethical standards in the musical professions and industries.

(Aug. 1, 1956, ch. 824, § 3, 70 Stat. 795.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 664, 675 of this title.

§ 664. Powers of corporation

The Corporation shall have power—

(1) to sue and be sued, complain and defend in any court of competent jurisdiction;

(2) to adopt, use, and alter a corporate seal;

(3) to choose such officers, managers, agents, and employees as the business of the Corporation may require;

(4) to adopt and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the Corporation is to operate, for the management of its property and the regulation of its affairs;

(5) to contract and be contracted with;

(6) to take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects or accomplishing the purposes of the Corporation, subject to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real and personal property by a corporation operating in such State;

(7) to transfer and convey real or personal property;

(8) to borrow money for the purposes of the Corporation, issue bonds therefor, and secure the same by mortgage, subject to all applicable provisions of Federal or State law;

(9) to use the corporate funds to give prizes, awards, loans, scholarships, and grants to deserving composers, conductors, and others for the purposes set forth in section 663 of this title, and for such other purpose as may be determined to be proper by the board of directors;

(10) to publish a bulletin, magazine, and other publications; and

(11) to do any and all acts and things necessary and proper to carry out the objects and purposes of the Corporation.

(Aug. 1, 1956, ch. 824, § 4, 70 Stat. 795.)

§ 665. Territorial scope of activities; resident agent; principal office

The activities of the Corporation may be conducted throughout the various States, Territories, and possessions of the United States. The Corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service of process for the Corporation, such designation to be filed in the office of the clerk of the United States District Court for the District of Columbia. Notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed sufficient notice of service upon the Corporation. The principal office of the Corporation shall be established at such place as the board of directors deems appropriate.

(Aug. 1, 1956, ch. 824, § 5, 70 Stat. 796.)

§ 666. Membership; voting rights

Eligibility for membership in the Corporation and the rights and privileges of members, shall, except as provided in this chapter, be determined according to the constitution and bylaws of the Corporation. In the conduct of the official business of the Corporation each member shall have one vote.

(Aug. 1, 1956, ch. 824, § 6, 70 Stat. 796.)

§ 667. Governing body; composition; tenure

The Corporation shall be governed by a board of directors, which may be known and referred to as an Executive Committee, composed of not less than ten persons who shall be representative of members of the Corporation or such other persons as shall be selected by the members of the Corporation, and such persons shall be elected by the members of the Corporation annually or at such other regular intervals as may be specified in the by-laws of the Corporation.

(Aug. 1, 1956, ch. 824, § 7, 70 Stat. 796.)

§ 668. Officers of corporation; powers and duties

The officers of the Corporation shall consist of a chairman of the board, a president, one or more vice presidents, a secretary, a treasurer, and such assistant officers as the board of directors shall designate. The officers shall perform such duties and have such powers as the by-laws and the board of directors may from time to time prescribe.

(Aug. 1, 1956, ch. 824, § 8, 70 Stat. 796.)

§ 669. Distribution of income or assets to members; loans

(a) No part of the income or assets of the Corporation shall inure to any member, officer, or director, or be distributable to any such person except upon dissolution and final liquidation of the Corporation as provided in section 675 of this title.

(b) The Corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to any officer, director, or employee of the Corporation, and any officer who participates in the making of such a loan shall be jointly and severally liable to the Corporation for the amount of such loan until the repayment thereof.

(Aug. 1, 1956, ch. 824, § 9, 70 Stat. 796.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 670. Nonpolitical nature of corporation

The Corporation and its members, officers, and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

(Aug. 1, 1956, ch. 824, § 10, 70 Stat. 796.)

§ 671. Liability for acts of officers and agents

The Corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Aug. 1, 1956, ch. 824, § 11, 70 Stat. 796.)

§ 672. Prohibition against issuance of stock or payment of dividends

The Corporation shall have no power to issue any shares of stock or to declare or pay any dividends, or to engage in business for pecuniary profit.

(Aug. 1, 1956, ch. 824, § 12, 70 Stat. 796.)

§ 673. Books and records; inspection

The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, the board of directors, and committees having any authority under the board of directors; and it shall also keep a record of the names and addresses of its members entitled to vote. All books and records of the Corporation may be inspected by any member, or by his agent or attorney, at any reasonable time.

(Aug. 1, 1956, ch. 824, § 13, 70 Stat. 796.)

§ 674. Repealed. Pub. L. 88-504, § 4(25), Aug. 30, 1964, 78 Stat. 637

Section, act Aug. 1, 1956, ch. 824, § 14, 70 Stat. 796, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 675. Use of assets upon dissolution or liquidation

Upon final dissolution or liquidation of the Corporation and after the discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the Corporation shall be used by the board of directors for the purposes stated in section 663 of this title or be[1] transferred to some recognized educational foundation.

(Aug. 1, 1956, ch. 824, § 15, 70 Stat. 797.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 669 of this title.

§ 676. Exclusive right to name, seals, emblems, and badges

The Corporation shall have the sole and exclusive right to use the name of National Music Council as representing such Corporation and such seals, emblems, and badges as the Corporation may lawfully adopt.

(Aug. 1, 1956, ch. 824, § 16, 70 Stat. 797.)

§ 677. State and territorial agents

As a condition precedent to the exercise of any power or privilege granted to the Corporation under this chapter, the Corporation shall file in the office of the Secretary of State, or in the office of another appropriate officer, in each State and in each Territory or possession of the United States in which the Corporation is doing business, the name and post office address of an authorized agent in such State, Territory, or possession upon whom legal process or demand against the Corporation may be served.

(Aug. 1, 1956, ch. 824, § 17, 70 Stat. 797.)

§ 678. Omitted

CODIFICATION

Section, act Aug. 1, 1956, ch. 824, § 18, 70 Stat. 797, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of New York and known as the National Music Council, Incorporated, was omitted from the Code as executed.

§ 679. Effective date

The provisions of this chapter shall take effect on the filing in the office of the Clerk of the United States District Court in and for the Southern District of New York of affidavits signed by five of the incorporators named in section 661 of this title to the effect that National Music Council, Incorporated, referred to in section 678 of this title, has been dissolved in accordance with the laws of the State of New York, but only if such affidavits are filed within three years after August 1, 1956.

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[1] So in original.

(Aug. 1, 1956, ch. 824, § 19, 70 Stat. 797.)

References in Text

Section 678 of this title, referred to in text, was omitted from the Code as executed.

§ 680. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Aug. 1, 1956, ch. 824, § 20, 70 Stat. 797.)

CHAPTER 29—BOYS' CLUBS OF AMERICA

Sec.
691. Corporation created.
692. Omitted.
693. Purposes and objects of corporation.
694. Powers of corporation.
695. Principal office; territorial scope of activities; resident agent.
696. Eligibility for membership; voting rights; benefits of member organizations.
697. Governing body.
  (a) Composition.
  (b) Tenure.
  (c) Duties.
698. Officers of corporation; election; tenure; duties.
699. Distribution of income or assets to members; loans.
700. Nonpolitical nature of corporation.
701. Liability for acts of officers and agents.
702. Prohibition against issuance of stock or payment of dividends.
703. Books and records; inspection.
704. Repealed.
705. Use of assets upon dissolution or liquidation.
706. Omitted.
707. Reservation of right to amend or repeal chapter.

§ 691. Corporation created

The following persons: Herbert Hoover, New York, New York; William E. Hall, New York, New York; Albert L. Cole, Pleasantville, New York; James A. Farley, New York, New York; Albert C. Wedemeyer, New York, New York; Matthew Woll, New York, New York; Jeremiah Milbank, New York, New York; Stanley Resor, New York, New York; James B. Carey, Washington, District of Columbia; J. Edgar Hoover, Washington, District of Columbia; Lewis L. Strauss, Washington, District of Columbia; General Robert E. Wood, Chicago, Illinois; Frederic Cameron Church, Boston, Massachusetts; H. Bruce Palmer, Newark, New Jersey; Edgar A. Guest, Detroit, Michigan; Nicholas H. Noyes, Indianapolis, Indiana; George A. Scott, San Diego, California; E. E. Fogelson, Dallas, Texas; Ernest Ingold, San Francisco, California; Jesse Draper, Atlanta, Georgia; Julius Epstein, Chicago, Illinois, and their successors, are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Boys' Clubs of America (hereinafter referred to as the corporation) and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Aug. 6, 1956, ch. 976, § 1, 70 Stat. 1052.)

§ 692. Omitted

Codification

Section, act Aug. 6, 1956, ch. 976, § 2, 70 Stat. 1052, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 693. Purposes and objects of corporation

The purpose of the corporation shall be to promote the health, social, educational, vocational, and character development of boys throughout the United States of America; to receive, invest, and disburse funds and to hold property for the purposes of the corporation.

(Aug. 6, 1956, ch. 976, § 3, 70 Stat. 1052.)

§ 694. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm or individual and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws.

(Aug. 6, 1956, ch. 976, § 4, 70 Stat. 1052.)

§ 695. Principal office; territorial scope of activities; resident agent

(a) The principal office of the corporation shall be located in New York City, New York, or in such other place as may be later determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Aug. 6, 1956, ch. 976, § 5, 70 Stat. 1053.)

§ 696. Eligibility for membership; voting rights; benefits of member organizations

(a) Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall, except as provided in this chapter, be determined as the constitution and bylaws of the corporation may provide. Each member of the corporation shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

(b) Each organization which is a member of the corporation as provided in the constitution thereof shall be entitled to all the benefits of incorporation under this chapter, but such benefits shall cease immediately either upon its resignation from the corporation, or in the event that its membership in the corporation is canceled or otherwise terminated by the board of directors, as provided in the constitution of the corporation.

(Aug. 6, 1956, ch. 976, § 6, 70 Stat. 1053.)

§ 697. Governing body

(a) Composition

Upon the enactment of this chapter the membership of the initial board of directors of the corporation shall consist of the present members of the board of directors of the Boys' Clubs of America, the corporation described in section 706 of this title, or such of them as may then be living and are qualified members of said board of directors, to wit: Hoyt Ammidon, New York, New York; Wendell W. Anderson, Detroit, Michigan; Sewell L. Avery, Chicago, Illinois; Richard E. Berlin, New York, New York; Arthur T. Burger, Boston, Massachusetts; Hendry S. M. Burns, New York, New York; John L. Burns, New York, New York; Peter Capra, New York, New York; James B. Carey, Washington, District of Columbia; Colby M. Chester, New York, New York; Frederic C. Church, Boston, Massachusetts; Albert L. Cole, Pleasantville, New York; Carle C. Conway, New York, New York; Donald K. David, New York, New York; Morse G. Dial, New York, New York; Robert W. Dowling, New York, New York; Kempton Dunn, New York, New York; Gilbert D. Eaton, Oakland, California; Julius Epstein, Chicago, Illinois; James A. Farley, New York, New York; Horace C. Flanigan, New York, New York; E. E. Fogelson, Dallas, Texas; Philip G. Geiger, Pawtucket, Rhode Island; M. Preston Goodfellow, Washington, District of Columbia; J. Peter Grace, Junior, New York, New York; John S. Griswold, New York, New York; Powell C. Groner, Kansas City, Missouri; Edgar A. Guest, Detroit, Michigan;

William Edwin Hall, New York, New York; Robert B. Heppenstall, Pittsburgh, Pennsylvania; William Edwin Hill, New York, New York; Allan Hoover, New York, New York; Herbert Hoover, New York, New York; J. Edgar Hoover, Washington, District of Columbia; Arthur Huck, New York, New York; Austin S. Iglehart, New York, New York; Ernest Ingold, San Francisco, California; Edward Ingraham, Bristol, Connecticut; Gordon Jeffery, Toledo, Ohio; Frank R. Jelleff, Washington, District of Columbia; Grant Keehn, New York, New York; James S. Kemper, Chicago, Illinois; Major William G. Kiefer, Louisville, Kentucky; Philip Le Boutillier, New York, New York; Philip Le Boutillier, Junior, Toledo, Ohio; James A. Linen, New York, New York; John D. Lockton, New York, New York; Fred Loock, Milwaukee, Wisconsin; David I. McCahill, Pittsburgh, Pennsylvania; Charles P. McCormick, Baltimore, Maryland; Everett McCullough, Wichita Falls, Texas; Ira McGuire, Muncie, Indiana; Charles R. Messier, Newark, New Jersey; Jeremiah Milbank, New York, New York; Theodore G. Montague, New York, New York; W. R. Nicholson, Junior, Philadelphia, Pennsylvania; Nicholas H. Noyes, Indianapolis, Indiana; Harry L. Olden, Cincinnati, Ohio; Frank Pace, Junior, New York, New York; August K. Paeschke, Milwaukee, Wisconsin; H. Bruce Palmer, Newark, New Jersey; Richard S. Perkins, New York, New York; Samuel F. Pryor, New York, New York; Stanley Resor, New York, New York; Captain E. V. Rickenbacker, New York, New York; Victor F. Ridder, New York, New York; Fredric E. Schluter, Trenton, New Jersey; George A. Scott, San Diego, California;

Irving J. Scher, Milwaukee, Wisconsin; Grant G. Simmons, New York, New York; P. C. Spencer, New York, New York; Clifford L. Strang, Tonawanda, New York; Edward K. Straus, New York, New York; Lewis L. Strauss, Washington, District of Columbia; Kenneth C. Towe, New York, New York; Maxwell M. Upson, New York, New York; Virgil P. Warren, Atlanta, Georgia; Albert C. Wedemeyer, New York, New York; Morgan W. Wheelock, New York, New York; J. Dugald White, New York, New York; Myron A. Wick, Junior, Stamford, Connecticut; Alfred G. Wilson, Detroit, Michigan; William S. Wilson, New York, New York; Matthew Woll, New York, New York; General Robert E. Wood, Chicago, Illinois; Gordon J. Wormal, Santa Barbara, California; E. A. Wright, Detroit, Michigan; Paul S. Young, Schenectady, New York; William Zeigler, Junior, New York, New York.

(b) Tenure

Thereafter the board of directors of the corporation shall consist of such number as may be prescribed in the constitution of the corporation, and the members of such board shall be selected in such manner (including the filling of vacancies), and shall serve for such terms, as may be prescribed in the constitution and bylaws of the corporation.

(c) Duties

The board of directors shall be the managing body of the corporation and shall have such powers, duties, and responsibilities as may be prescribed in the constitution and bylaws of the corporation.

(Aug. 6, 1956, ch. 976, § 7, 70 Stat. 1054.)

REFERENCES IN TEXT

Section 706 of this title, referred to in subsec. (a), was omitted from the Code as executed.

§ 698. Officers of corporation; election; tenure; duties

(a) The officers of the corporation shall be a chairman of the board of directors, a president, one or more vice presidents (as may be prescribed in the constitution and bylaws of the corporation), a secretary, and a treasurer, and one or more assistant secretaries and assistant treasurers as may be provided in the constitution and bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

(Aug. 6, 1956, ch. 976, § 8, 70 Stat. 1055.)

§ 699. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members, directors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan or advance to an officer, director, or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Aug. 6, 1956, ch. 976, § 9, 70 Stat. 1055.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 700. Nonpolitical nature of corporation

The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Aug. 6, 1956, ch. 976, § 10, 70 Stat. 1055.)

§ 701. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Aug. 6, 1956, ch. 976, § 11, 70 Stat. 1055.)

§ 702. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Aug. 6, 1956, ch. 976, § 12, 70 Stat. 1055.)

§ 703. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

(Aug. 6, 1956, ch. 976, § 13, 70 Stat. 1055.)

§ 704. Repealed. Pub. L. 88-504, § 4(26), Aug. 30, 1964, 78 Stat. 637

Section, act Aug. 6, 1956, ch. 976, § 14, 70 Stat. 1055, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 705. Use of assets upon dissolution or liquidation

Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

(Aug. 6, 1956, ch. 976, § 15, 70 Stat. 1056.)

§ 706. Omitted

CODIFICATION

Section, act Aug. 6, 1956, ch. 976, § 16, 70 Stat. 1056, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the Commonwealth of Massachusetts and known as the Boys' Clubs of America, was omitted from the Code as executed.

§ 707. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Aug. 6, 1956, ch. 976, § 17, 70 Stat. 1056.)

CHAPTER 30—PRESIDENTIAL INAUGURAL CEREMONIES

Sec.
721. Short title; definitions.
722. Regulations; licenses; fees; registration tags.
723. Authorization of appropriations.
724. Permits for use of reservations or grounds; restoration to previous condition; liability.
725. Installation and removal of electrical facilities; enforcement; public protection; restoration to previous condition; liability.
726. Repealed.
727. Communication facilities; removal.
728. Duration of regulations and licenses; publication of regulations; violations and penalties.
729. Application to other properties; Congressional joint committee request or approval.
730. Additional definition.

CODIFICATION

Presidential inaugural ceremonies provisions are also classified to the District of Columbia Code, § 1-1201 et seq.

§ 721. Short title; definitions

(a) This chapter may be cited as the "Presidential Inaugural Ceremonies Act".

(b) For the purposes of this chapter—

(1) The term "inaugural period" means the period which includes the day on which the ceremony of inaugurating the President is held, the five calendar days immediately preceding such day, and the four calendar days immediately subsequent to such day;

(2) The term "Inaugural Committee" means the committee in charge of the Presidential inaugural ceremony and functions and activities connected therewith, to be appointed by the President-elect;

(3) The term "Mayor" means the Mayor of the District of Columbia or his designated agent or agents;

(4) The term "Secretary of Defense" means the Secretary of Defense or his designated agent or agents; and

(5) The term "Secretary of the Interior" means the Secretary of the Interior or his designated agent or agents.

(Aug. 6, 1956, ch. 974, § 1, 70 Stat. 1049; 1967 Reorg. Plan No. 3, § 401, eff. Aug. 11, 1967, 32 F.R. 11669, 81 Stat. 951; Dec. 24, 1973, Pub. L. 93-198, title IV, § 421, 87 Stat. 789.)

CODIFICATION

Section is also set out in D.C. Code, § 1-1201.

PARTIAL REPEAL

Pub. L. 85-861, § 36A, Sept. 2, 1958, 72 Stat. 1570, repealed subsec. (b)(1) of this section insofar as it was applicable to section 726 of this title. See section 2543 of Title 10, Armed Forces.

TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3 of 1967, eff. Aug. 11, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, all functions of the Board of Commissioners of the District of Columbia were transferred to the Commissioner of the District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. References to "Commissioners" in this chapter are deemed to refer to the Commissioner of the District of Columbia pursuant to section 730 of this title. The office of Commissioner of the District of Columbia, as established by Reorg. Plan No. 3 of 1967, was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by the office of Mayor of the District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-161 of the District of Columbia Code. Accordingly, "Mayor" was substituted for "Commissioners".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 2543; title 40 section 490.

§ 722. Regulations; licenses; fees; registration tags

(a) For each inaugural period the Council of the District of Columbia is authorized and directed to make all reasonable regulations necessary to secure the preservation of public order and protection of life, health, and property; to make special regulations respecting the standing, movement, and operation of vehicles of whatever character or kind during such period; and to grant, under such conditions as it may impose, special licenses to peddlers and vendors for the privilege of selling goods, wares, and merchandise in such places in the District of Columbia, and to charge such fees for such privilege, as it may deem proper.

(b) The Mayor of the District of Columbia is authorized to issue, for both duly registered motor vehicles and unregistered motor vehicles made available for the use of the Inaugural Committee, special registration tags, valid for a period not exceeding ninety days, designed to celebrate the occasion of the inauguration of the President and Vice President.

(Aug. 6, 1956, ch. 974, § 2, 70 Stat. 1049; Jan. 30, 1968, Pub. L. 90-251, § 1, 82 Stat. 4; 1967 Reorg. Plan No. 3, § 402(33), eff. Nov. 3, 1967, 32 F.R. 11669, 81 Stat. 953; Dec. 24, 1973, Pub. L. 93-198, title IV, §§ 401, 421, 87 Stat. 785, 789.)

CODIFICATION

Section is also set out in D.C. Code, § 1-1202.

AMENDMENTS

1968—Subsec. (a). Pub. L. 90-251 designated existing provisions as subsec. (a), and substituted "District of Columbia Council is authorized" for "Commissioners are authorized" and "it" for "they" in two instances.

Subsec. (b). Pub. L. 90-251 added subsec. (b).

TRANSFER OF FUNCTIONS

The District of Columbia Council was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, classified to section 1-131 of the District of Columbia Code, and replaced by the Council of the District of Columbia as provided by Pub. L. 93-198, title IV, § 401, Dec. 24, 1973, 87 Stat. 785, classified to section 1-141 of the District of Columbia Code.

The office of Commissioner of the District of Columbia, as established by Reorg. Plan No. 3 of 1967, eff. Aug. 11, 1967, 32 F.R. 11669, 81 Stat. 948, was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by the office of Mayor of the District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-161 of the District of Columbia Code. Accordingly, "Mayor" was substituted for "Commissioner".

Section 402(33) of Reorg. Plan No. 3 of 1967, effective Nov. 3, 1967, 32 F.R. 11669, set out in the Appendix to Title 5, Government Organization and Employees, transferred the regulatory and other functions of the Board of Commissioners (with respect to each inaugural period: (i) making regulations necessary to secure the preservation of public order and protection of life, health, and property, (ii) making regulations respecting the standing, movement, and operation of vehicles, (iii) fixing conditions with respect to licenses to peddlers and vendors, and (iv) fixing fees for the privilege of selling goods, wares, and merchandise), under this section, to the District of Columbia Council, subject to the right of the Commissioner as provided by section 406 of the Plan. For provisions establishing the District of Columbia Council, see section 201 of Reorganization Plan No. 3 of 1967.

§ 723. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary, payable in like manner as other appropriations for the expenses of the District of Columbia, to enable the Mayor to provide additional municipal services in said District during the inaugural period, including employment of personal services without regard to the civil-service and classification laws; travel expenses of enforcement personnel, including sanitarians, from other jurisdictions; hire of means of transportation; meals for policemen, firemen, and other municipal employees, cost of removing and relocating streetcar loading platforms, construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths; and other incidental expenses in the discretion of the Mayor; and such sums as may be necessary, payable in like manner as other appropriations for the expenses of the Department of the Interior, to enable the Secretary of the Interior to provide meals for the members of the United States Park Police during the inaugural period.

(Aug. 6, 1956, ch. 974, § 3, 70 Stat. 1049; 1967 Reorg. Plan No. 3, § 401, eff. Aug. 11, 1967, 32 F.R. 11669, 81 Stat. 951; Jan. 30, 1968, Pub. L. 90-251, § 2, 82 Stat. 4; Dec. 24, 1973, Pub. L. 93-198, title IV, § 421, 87 Stat. 789.)

References in Text

The civil-service laws, referred to in text, are set forth in Title 5, Government Organization and Employees. See particularly section 3301 et seq. of that title.

The classification laws, referred to in text, are classified generally to chapter 51 (§ 5101 et seq.) and to subchapter III (§ 5331 et seq.) of chapter 53 of Title 5, Government Organization and Employees.

Codification

Section is also set out in D.C. Code, § 1-1203.

Amendments

1968—Pub. L. 90-251 authorized appropriations for travel expenses of sanitarians, meals of municipal employees other than policemen and firemen, and meals of members of the United States Park Police during the inaugural period.

Transfer of Functions

Except as otherwise provided in Reorg. Plan No. 3 of 1967, eff. Aug. 11, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, all functions of the Board of Commissioners of the District of Columbia were transferred to the Commissioner of the District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. References to "Commissioners" in this chapter are deemed to refer to the Commissioner of the District of Columbia pursuant to section 730 of this title. The office of Commissioner of the District of Columbia, as established by Reorg. Plan No. 3 of 1967, was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by the office of Mayor of the District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-161 of the District of Columbia Code. Accordingly, "Mayor" was substituted for "Commissioners".

§ 724. Permits for use of reservations or grounds; restoration to previous condition; liability

The Secretary of the Interior, with the approval of such officer as may exercise jurisdiction over any of the Federal reservations or grounds in the District of Columbia, is authorized to grant to the Inaugural Committee permits for the use of such reservations or grounds during the inaugural period, including a reasonable time prior and subsequent thereto; and the Mayor is authorized to grant like permits for the use of public space under their jurisdiction. Each such permit shall be subject to such restrictions, terms, and conditions as may be imposed by the grantor of such permit. With respect to public space, no reviewing stand or any stand or structure for the sale of goods, wares, merchandise, food, or drink shall be built on any sidewalk, street, park, reservation, or other public grounds in the District of Columbia, except with the approval of the Inaugural Committee, and with the approval of the Secretary of the Interior or the Mayor, as the case may be, depending on the location of such stand or structure. The reservation, ground, or public space occupied by any such stand or structure shall, after the inaugural period, be promptly restored to its previous condition. The Inaugural Committee shall indemnify and save harmless the District of Columbia and the appropriate agency or agencies of the Federal Government against any loss or damage to such property and against any liability arising from the use of such property, either by the Inaugural Committee or a licensee of the Inaugural Committee.

(Aug. 6, 1956, ch. 974, § 4, 70 Stat. 1049; 1967 Reorg. Plan. No. 3, § 401, eff. Aug. 11, 1967, 32 F.R. 11669, 81 Stat. 951; Dec. 24, 1973, Pub. L. 93-198, title IV, § 421, 87 Stat. 789.)

Codification

Section is also set out in D.C. Code, § 1-1204.

Transfer of Functions

Except as otherwise provided in Reorg. Plan No. 3 of 1967, eff. Aug. 11, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, all functions of the Board of Commissioners of the District of Columbia were transferred to the Commissioner of the District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. References to "Commissioners" in this chapter are deemed to refer to the Commissioner of the District of Columbia pursuant to section 730 of this title. The office of Commissioner of the District of Columbia, as established by Reorg. Plan No. 3 of 1967, was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by the office of Mayor of the District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-161 of the District of Columbia Code. Accordingly, "Mayor" was substituted for "Commissioners".

§ 725. Installation and removal of electrical facilities; enforcement; public protection; restoration to previous condition; liability

The Mayor is authorized to permit the Inaugural Committee to install suitable overhead conductors and install suitable lighting or other electrical facilities, with adequate supports, for illumination or other purposes. If it should be necessary to place wires for illuminating or other purposes over any park or reservation in the District of Columbia, such placing of wires and their removal shall be under the supervision of the official in charge of said park or reservation. Such conductors with their supports shall be removed within five days after the end of the inaugural period. The Mayor, or such other officials as may have jurisdiction in the premises, shall enforce the provisions of this chapter, take needful precautions for the protection of the public, and insure that the pavement of any street, sidewalk, avenue, or alley which is disturbed or damaged is restored to its previous condition. No expense or damage from the installation, operation, or removal of said temporary overhead conductors or said illumination or other electrical facilities shall be incurred by the United States or the District of Columbia, and the Inaugural Committee shall indemnify and save harmless the District of Columbia and the appropriate agency or agencies of the Federal Government against any loss or damage and against any liability whatsoever arising from any act of the Inaugural Committee or any agent, licensee, servant, or employee of the Inaugural Committee.

(Aug. 6, 1956, ch. 974, § 5, 70 Stat. 1050; 1967 Reorg. Plan No. 3, § 401, eff. Aug. 11, 1967, 32 F.R. 11669, 81 Stat. 951; Dec. 24, 1973, Pub. L. 93-198, title IV, § 421, 87 Stat. 789.)

CODIFICATION

Section is also set out in D.C. Code, § 1-1205.

TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3 of 1967, eff. Aug. 11, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, all functions of the Board of Commissioners of the District of Columbia were transferred to the Commissioner of the District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. References to "Commissioners" in this chapter are deemed to refer to the Commissioner of the District of Columbia pursuant to section 730 of this title. The office of Commissioner of the District of Columbia, as established by Reorg. Plan No. 3 of 1967, was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by the office of Mayor of the District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-161 of the District of Columbia Code. Accordingly, "Mayor" was substituted for "Commissioners".

§ 726. Repealed. Pub. L. 85-861, § 36A, Sept. 2, 1958, 72 Stat. 1570

Section, act Aug. 6, 1956, ch. 974, § 6, 70 Stat. 1050, related to loans to the Inaugural Committee by the Defense Department, and is now covered by section 2543 of Title 10, Armed Forces.

§ 727. Communication facilities; removal

The Mayor, the Secretary of the Interior, and the Inaugural Committee are authorized to permit telegraph, telephone, radio-broadcasting, and television companies to extend overhead wires to such points along the line of any parade as shall be deemed convenient for use in connection with such parade and other inaugural purposes. Such wires shall be removed within ten days after the conclusion of the inaugural period.

(Aug. 6, 1956, ch. 974, § 7, 70 Stat. 1050; 1967 Reorg. Plan No. 3, § 401, eff. Aug. 11, 1967, 32 F.R. 11669, 81 Stat. 951; Dec. 24, 1973, Pub. L. 93-198, title IV, § 421, 87 Stat. 789.)

CODIFICATION

Section is also set out in D.C. Code, § 1-1207.

TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3 of 1967, eff. Aug. 11, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, all functions of the Board of Commissioners of the District of Columbia were transferred to the Commissioner of the District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. References to "Commissioners" in this chapter are deemed to refer to the Commissioner of the District of Columbia pursuant to section 730 of this title. The office of Commissioner of the District of Columbia, as established by Reorg. Plan No. 3 of 1967, was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by the office of Mayor of the District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-161 of the District of Columbia Code. Accordingly, "Mayor" was substituted for "Commissioners".

§ 728. Duration of regulations and licenses; publication of regulations; violations and penalties

The regulations and licenses authorized by this chapter shall be in full force and effect only during the inaugural period. Such regulations shall be published in one or more of the daily newspapers published in the District of Columbia and no penalty prescribed for the violation of any such regulation shall be enforced until five days after such publication. Any person violating any regulation promulgated by the Council of the District of Columbia under the authority of this chapter shall be fined not more than $100 or imprisoned for not more than thirty days. Each and every day a violation of any such regulation exists shall constitute a separate offense, and the penalty prescribed shall be applicable to each such separate offense.

(Aug. 6, 1956, ch. 974, § 8, 70 Stat. 1051; Jan. 30, 1968, Pub. L. 90-251, § 3, 82 Stat. 4; Dec. 24, 1973, Pub. L. 93-198, title IV, § 401, 87 Stat. 785.)

CODIFICATION

Section is also set out in D.C. Code, § 1-1208.

AMENDMENTS

1968—Pub. L. 90-251 substituted "District of Columbia Council" for "Commissioners".

TRANSFER OF FUNCTIONS

The District of Columbia Council was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, classified to section 1-131 of the District of Columbia Code, and replaced by the Council of the District of Columbia, as provided by Pub. L. 93-198, title IV, § 401, Dec. 24, 1973, 87 Stat. 785, classified to section 1-141 of the District of Columbia Code.

§ 729. Application to other properties; Congressional joint committee request or approval

Nothing contained in this chapter shall be applicable to the United States Capitol Buildings or Grounds or other properties under the jurisdiction of the Congress or any committee, commission or officer thereof: *Provided, however*, That any of the services or facilities authorized by or under this chapter shall be made available with respect to any such properties upon request or approval of the joint committee of the Senate and House of Representatives appointed by the President of the Senate and the Speaker of the House of Representatives to make the necessary arrangements for the Inauguration of the President-elect and the Vice President-elect.

(Aug. 6, 1956, ch. 974, § 9, 70 Stat. 1051.)

CODIFICATION

Section is also set out in D.C. Code, § 1-1209.

§ 730. Additional definition

Wherever the term "Commissioners" is used in this chapter, such term shall be deemed to refer to the Commissioner of the District of Columbia.

(Aug. 6, 1956, ch. 974, § 10, as added Jan. 30, 1968, Pub. L. 90-251, § 4, 82 Stat. 4.)

CODIFICATION

Section is also set out in D.C. Code, § 1-1211.

TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3 of 1967, eff. Aug. 11, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, all functions of the Board of Commissioners of the District of Columbia were transferred to the Commissioner of the District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. The office of Commissioner of the District of Columbia, as established by Reorg. Plan No. 3 of 1967, was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by the office of Mayor of the District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-161 of the District of Columbia Code.

CHAPTER 31—CIVIL WAR CENTENNIAL COMMISSION

§§ 741 to 747. Omitted

CODIFICATION

Section 741, Pub. L. 85-305, § 1, Sept. 7, 1957, 71 Stat. 626, which provided for the establishment and membership of the Civil War Centennial Commission, was omitted from the Code as executed. See note for section 746 of this title.

Section 742, Pub. L. 85-305, § 2, Sept. 7, 1957, 71 Stat. 626, which authorized the Commission to prepare an overall program including specific plans commemorating the one hundredth anniversary of the Civil War, was omitted from the Code as executed. See note for section 746 of this title.

Section 743, Pub. L. 85-305, § 3, Sept. 7, 1957, 71 Stat. 627, which authorized the Commission to preserve and develop the historic battlefield sites of the Civil War to insure a fitting observance as their centennial occurs, was omitted from the Code as executed. See note for section 746 of this title.

Section 744, Pub. L. 85-305, § 4, Sept. 7, 1957, 71 Stat. 627, which authorized a Presidential proclamation inviting the people of the United States to participate in observance of the centennial celebration, was omitted from the Code as executed. See note for section 746 of this title.

Section 745, Pub. L. 85-305, § 5, Sept. 7, 1957, 71 Stat. 627, which authorized the Commission to accept donations of money, property or personal services and to contract for materials and supplies, and designated the National Park Service as the agency to provide all general administrative services, was omitted from the Code as executed. See note for section 746 of this title.

Section 746, Pub. L. 85-305, § 6, Sept. 7, 1957, 71 Stat. 627, which provided for the hiring of employees, accounting of funds, a national assembly, a report submitted to Congress not later than Mar. 1, 1958 on the preliminary plans of the Commission, annual reports thereafter, and a final report submitted no later than May 1, 1966 (upon which date the Commission terminated), and disposal of property and funds of the Commission upon its termination, was omitted from the Code as executed.

Section 747, Pub. L. 85-305, § 7, Sept. 7, 1957, 71 Stat. 628, which provided for transportation and reimbursement to members of the Commission, was omitted from the Code as executed. See note for section 746 of this title.

§ 748. Repealed. Pub. L. 88-448, title IV, § 402(a)(33), Aug. 19, 1964, 78 Stat. 495

Section, Pub. L. 85-305, § 8, Sept. 7, 1957, 71 Stat. 628, related to the employment of retired officers. See section 8301 et seq. of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF REPEAL

Section repealed effective on the first day of the first month which begins later than the ninetieth day following Aug. 19, 1964, see section 403 of Pub. L. 88-448.

§ 749. Omitted

CODIFICATION

Section, Pub. L. 85-305, § 9, Sept. 7, 1957, 71 Stat. 628; Pub. L. 85-918, Sept. 2, 1958, 72 Stat. 1769, which authorized appropriations of not to exceed $100,000 in any one fiscal year, was omitted from the Code as executed. See note under section 746 of this title.

CHAPTER 32—VETERANS OF WORLD WAR I OF THE UNITED STATES OF AMERICA

Sec.

761. Corporation created.
762. Omitted.
763. Objects and purposes of corporation.
764. Powers of corporation.
765. Eligibility for membership.
766. Governing authority; composition; form; meeting places.
767. Board of administration.
    (a) Governing period.
    (b) Initial board.
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768. Officers of corporation; selection, terms, duties.
769. Principal office; territorial scope of activities.
770. Distribution of income or assets to members; loans.
771. Nonpolitical nature of corporation.
772. Liability for acts of officers and agents.
773. Prohibition against issuance of stock or payment of dividends.
774. Books and records; inspection.
775. Repealed.
776. Activities report to Congress.
777. Exclusive right to name, emblems, seals, and badges.
778. Omitted.
779. Dissolution or liquidation.
780. Reservation of right to amend or repeal chapter.

§ 761. Corporation created

The following-named persons provided that they meet the eligibility requirements set forth in section 765 of this title: Harlan W. Barnes, Portland, Oregon; Lewis Brake, Mount Vernon, Illinois; Fred J. Hollenbeck, Cape Vincent, New York; Reginald H. Murphy, Junior, Washington, District of Columbia; Stanton L. Smiley, Gary, Indiana; Emerson R. J. Follett, Dover, New Hampshire; M. George Deutch, Buffalo, New York; Patrick F. O'Connor, Braddock, Pennsylvania; Charles L. Gore, Baltimore, Maryland; Arch MacIntyre, Tampa, Florida;

G. Edwin Slater, Detroit, Michigan; John E. Erickson, Minneapolis, Minnesota; Al. H. Ohlsen, San Francisco, California; Arthur G. Estes, Albuquerque, New Mexico; M. C. Hermann, San Francisco, California; Merle E. Hopper, Roscommon, Michigan; Harry J. Millen, Watertown, New York; John C. Van Etten, Olympia, Washington; Emanuel Levy, Fort Wayne, Indiana; A. T. G. Novak, Seattle, Washington; Doctor Harry E. Mort, Saint Louis, Missouri; Martin F. Iverson, Washington, District of Columbia; Monte C. Walton, Portland, Oregon; Bert Mansfield, Portland, Oregon; W. N. Knight, Salisbury, North Carolina; Reverend George G. Shurtz, Newcomerstown, Ohio;

David G. Bollinger, Lakewood, Ohio; Catherine Sawyer, Napa County, California; Joseph Bergrath, Madison, Illinois; Arthur Means, Mena, Arkansas; James Butler, Long Beach, California; Joseph P. Crider, Westerly, Rhode Island; Frank Heise, Washington, District of Columbia; Joseph W. Padderatz, New Smyrna Beach, Florida; George Burdick, Twin Falls, Idaho; Dean V. Thompson, Boise, Idaho; M. H. Bond, Centralia, Illinois; Denton Opp, Aurora, Indiana; Paul Hadley, Rehoboth Beach, Delaware; George M. Leary, Quincy, Massachusetts; Charles Cooper, Clare, Michigan; Jack Greenwood, Minneapolis, Minnesota; Howard E. White, Kansas City, Missouri; C. P. Biffle, Polson, Montana;

John Twardus, Stratham, New Hampshire; Gustave G. W. Laegeler, Newark, New Jersey; George F. Patton, Portales, New Mexico; William F. Schwab, Buffalo, New York; E. G. Kittles, Charlotte, North Carolina; Victor E. Morgan, Bridgeport, Ohio; Ray Snider, La Grande, Oregon; Leslie E. Barnhart, Uniontown, Pennsylvania; J. L. FitzGibbon, Columbia, South Carolina; C. W. Nevins, Fort Worth, Texas; Howard Houck, San Pedro, California; Charles Wetter, Santa Ana, California; A. Thomas Wheaton, Dearborn, Michigan; T. D. Ladd, Amarillo, Texas; Cornelius B. Prins, Fort Pierce, Florida;

Charles Ulmer, Wellington, Kansas; Louis Alterici, Charleroi, Pennsylvania; Robert Brown, Minneapolis, Minnesota; Joseph J. Strobel, Molalla, Oregon; James R. McClain, Springfield, Illinois; Henry H. Hitchings, Johnson City, New York; Albert J. Graf, Lake View, New York; William E. Kilgore, Ludlow, Kentucky; Leo Thornton, Hammond, Indiana; Daniel A. Chester, Spencer, North Carolina; Frank B. Pace, Oklahoma City, Oklahoma; O. B. Pritchett, Jefferson City, Missouri; Dayton H. Montgomery, Hot Springs, Arkansas; Melvin D. Eddy, Belmont, Massachusetts; James L. Culbert, Haverhill, Massachusetts;

Joseph Perrone, New London, Connecticut; George H. Hoak, Houton Lake Heights, Michigan; and William A. McVeigh, Victorville, California, and their associates and successors, are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, the name of which shall be Veterans of World War I of the United States of America, Incorporated (hereinafter referred to as the "corporation"), and by such name the said corporation shall be known and have perpetual succession, the powers, limitations, and restrictions herein contained.

(Pub. L. 85-530, § 1, July 18, 1958, 72 Stat. 370.)

§ 762. Omitted

CODIFICATION

Section, Pub. L. 85-530, § 2, July 18, 1958, 72 Stat. 371, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 763. Objects and purposes of corporation

The purposes of the corporation shall be patriotic, fraternal, historical, and educational, in the service and for the benefit of veterans of World War I and are as follows:

(1) To provide for the veterans of World War I an organization for their mutual benefit, pleasure, and amusement, which will afford them the opportunities and means for personal contact with each other in order to keep alive friendships and memories of World War I and to venerate the memory of their honored dead;

(2) To cooperate to the fullest extent and in a harmonious manner with all veterans' organizations to the end that the best interests of all veterans of all wars in which the United States of America has participated, and the widows and orphans of deceased veterans of such wars, may be best served;

(3) To stimulate communities and political subdivisions into taking more interest in veterans of World War I, the widows and orphans of such deceased veterans, and the problems of such veterans and their widows and orphans;

(4) To collate, preserve, and encourage the study of historical episodes, chronicles, mementos, and events pertaining to World War I;

(5) To fight vigorously to uphold the Constitution and laws of the United States, as well as the individual States of the Union and to foster the spirit and practice of true Americanism;

(6) To fight unceasingly for our national security in order to protect Americans from enemies within our borders, as well as those from without, to the end that our American way of life be preserved;

(7) To fight to the utmost all those alien forces, particularly forces such as communism, whose objectives are to deny our very existence as a free people; and

(8) To do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

(Pub. L. 85-530, § 3, July 18, 1958, 72 Stat. 371.)

§ 764. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the activities of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any public body or agency or any private corporation, association, partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or

kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property;

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws; and

(10) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

(Pub. L. 85-530, § 4, July 18, 1958, 72 Stat. 371.)

§ 765. Eligibility for membership

Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall be determined as the constitution and bylaws of the corporation may provide but in no case shall eligibility for all classes of membership include persons who did not serve honorably in the armed forces of the United States during the period beginning April 6, 1917 and ending November 11, 1918.

(Pub. L. 85-530, § 5, July 18, 1958, 72 Stat. 372.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 761, 767 of this title.

§ 766. Governing authority; composition; form; meeting places

(a) The supreme governing authority of the corporation shall be the national convention thereof, composed of such officers and elected representatives from the several States and other local subdivisions of the corporate organization as shall be provided by the constitution and bylaws, each of such duly elected representatives to be entitled to one vote at such national convention. The form of the government of the corporation shall always be representative of the membership at large and shall not permit the concentration of the control thereof in the hands of a limited number of members or in a self-perpetuating group not so representative. The meetings of the national convention may be held in any State or Territory or in the District of Columbia.

(b) Each member of the corporation, other than associate or honorary members, shall have the right to one vote on each matter submitted to a vote at all other meetings of the members of the corporation.

(Pub. L. 85-530, § 6, July 18, 1958, 72 Stat. 372.)

§ 767. Board of administration

(a) Governing period

During the intervals between the national convention, the board of administration shall be the governing board of the corporation and shall be responsible for the general policies, programs, and activities of the corporation.

(b) Initial board

Upon the enactment of this chapter the membership of the initial board of administration of the corporation shall consist of such of the following present members of the board of administration of the Veterans of World War I of the United States of America, Incorporated (the corporation described in section 778 of this title) as qualify for membership under section 765 of this title and who are qualified members of said board of administration, to wit: Harlan W. Barnes, Lewis Brake, Fred J. Hollenbeck, Reginald H. Murphy, Junior, Stanton L. Smiley, Catherine Sawyer, Emerson R. J. Follett, M. George Deutsch, Patrick F. O'Connor, Charles L. Gore, Arch MacIntyre, G. Edwin Slater, John E. Erickson, A. H. Ohlsen, and Arthur G. Estes.

(c) Election

Thereafter, the board of administration of the corporation shall consist of not less than seven members elected in the manner and for the term prescribed in the constitution and bylaws of the corporation.

(Pub. L. 85-530, § 7, July 18, 1958, 72 Stat. 372.)

REFERENCES IN TEXT

"Enactment of this chapter" referred to in subsec. (b), means enactment of Pub. L. 85-530, which was enacted July 18, 1958.

Section 778 of this title, referred to in subsec. (b), was omitted from the Code as executed.

§ 768. Officers of corporation; selection, terms, duties

The officers of the corporation shall be a national commander, a national senior vice commander, a national junior vice commander, a national quartermaster, a national adjutant (which latter two offices may be held by one person), a national judge advocate, nine regional vice commanders, and such other officers as may be prescribed in the constitution and bylaws. The officers of the corporation shall be selected in such manner and for such terms and with such duties and titles as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 85-530, § 8, July 18, 1958, 72 Stat. 373.)

§ 769. Principal office; territorial scope of activities

(a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may be determined by the board of administration; but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, the District of Columbia, and Territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept services of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, will be deemed notice to or service upon the corporation.

(Pub. L. 85-530, § 9, July 18, 1958, 72 Stat. 373.)

§ 770. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the board of administration who votes for or assents to the making of a loan or advance to an officer or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 85-530, § 10, July 18, 1958, 72 Stat. 373.)

§ 771. Nonpolitical nature of corporation

The corporation and its officers and agents as such shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Pub. L. 85-530, § 11, July 18, 1958, 72 Stat. 373.)

§ 772. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 85-530, § 12, July 18, 1958, 72 Stat. 374.)

§ 773. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Pub. L. 85-530, § 13, July 18, 1958, 72 Stat. 374.)

§ 774. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national convention and board of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose, at any reasonable time.

(Pub. L. 85-530, § 14, July 18, 1958, 72 Stat. 374.)

§ 775. Repealed. Pub. L. 88-504, § 4(27), Aug. 30, 1964, 78 Stat. 637

Section, Pub. L. 85-530, § 15, July 18, 1958, 72 Stat. 374, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 776. Activities report to Congress

On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year.

(Pub. L. 85-530, § 16, July 18, 1958, 72 Stat. 374; Pub. L. 88-105, § 2, Aug. 27, 1963, 77 Stat. 130.)

AMENDMENTS

1963—Pub. L. 88-105 eliminated provisions which prohibited the report from being printed as a public document.

CROSS REFERENCES

Printing of corporation proceedings as House documents, see section 1332 of Title 44, Public Printing and Documents.

§ 777. Exclusive right to name, emblems, seals, and badges

The corporation and its subordinate divisions shall have the sole and exclusive right to use the name "Veterans of World War I of the United States of America, Incorporated". The corporation shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as it may legally adopt, and such emblems, seals, and badges as have heretofore been used by the Ohio corporation described in section 778 of this title and the right to which may be lawfully transferred to the corporation.

(Pub. L. 85-530, § 17, July 18, 1958, 72 Stat. 374.)

REFERENCES IN TEXT

Section 778 of this title, referred to in text, was omitted from the Code as executed.

§ 778. Omitted

CODIFICATION

Section, Pub. L. 85-530, § 18, July 18, 1958, 72 Stat. 375, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of Ohio and known as the Veterans of World War I of the United States of America, Incorporated, was omitted from the Code as executed.

§ 779. Dissolution or liquidation

The national convention may, by resolution, declare the event upon which the corporate existence of the organization is to terminate and provide for the disposition of any property remaining to the corporation after the discharge or satisfaction of all outstanding obligations and liabilities. A duly authenticated copy of such resolution shall be filed in the office of the United States District Court for the District of Columbia. Upon the happening of the event thus declared, and upon the filing of a petition in said United States District Court reciting said facts, said court shall take jurisdiction thereof, and upon due proof being made the court shall enter a decree which shall be effectual to vest title and ownership in accordance with the provisions of such resolution.

(Pub. L. 85-530, § 19, July 18, 1958, 72 Stat. 375.)

§ 780. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 85-530, § 20, July 18, 1958, 72 Stat. 375.)

CHAPTER 33—THE CONGRESSIONAL MEDAL OF HONOR SOCIETY OF THE UNITED STATES OF AMERICA

Sec.
791. Corporation created.
792. Omitted.

Sec.
793. Objects and purposes of corporation.
794. Powers of corporation.
795. Principal office; territorial scope of activities; resident agent.
796. Eligibility for membership.
  (a) Requirement.
  (b) Honorary membership.
  (c) Voting rights.
797. Board of directors.
  (a) Composition of initial board.
  (b) Composition of subsequent boards; tenure.
  (c) Powers; voting rights; meetings; chairman.
798. Officers of corporation.
  (a) Composition.
  (b) Powers.
  (c) Election; tenure; duties.
799. Distribution of income or assets to members; loans.
800. Nonpolitical nature of corporation.
801. Liability for acts of officers and agents.
802. Prohibition against issuance of stock or payment of dividends.
803. Books and records; inspection.
804. Repealed.
805. Use of assets upon dissolution or liquidation.
806. Omitted.
807. Reservation of right to amend or repeal chapter.

§ 791. Corporation created

The following named persons: Major General David M. Shoup, United States Marine Corps, Virginia; Joel T. Boone, Washington, District of Columbia; Samuel I. Parker, New Jersey; Nicholas Oresko, New Jersey; Luther Skaggs, Maryland; Rufus G. Herring, North Carolina; Nathan Gordon, Arkansas; Joseph J. McCarthy, Illinois; Pierpont M. Hamilton, California; Daniel W. Lee, Alabama; Walter D. Ehlers, California; David E. Hayden, California; William R. Huber, California; Robert S. Kennemore, California; Jackson C. Pharris, California; William J. Crawford, Colorado; Hugh C. Frazer, Washington, District of Columbia; Robert E. Galer, Washington, District of Columbia; Edouard V. M. Izac, Washington, District of Columbia; Leon W. Johnson, Washington, District of Columbia; Keith L. Ware, Washington, District of Columbia; John C. Latham, Connecticut; Homer L. Wise, Connecticut; Charles P. Murray, Georgia; Robert E. Gerstung, Illinois; Jake Allex Mandusich, Illinois; John L. Barkley, Kansas; Charles E. Kelly, Kentucky; John D. Bulkeley, Maryland; Justice M. Chambers, Maryland; Lawson P. Ramage, Washington, District of Columbia; Charles A. MacGillivary, Massachusetts; Everett P. Pope, Massachusetts; Russell E. Dunham, Missouri; Arthur J. Forrest, Missouri; M. Waldo Hatler, Missouri; Carl L. Sitter, North Carolina; Max Thompson, North Carolina; Francis X. Burke, New Jersey; Thomas J. Hudner, New Jersey; Samuel M. Sampler, New Jersey; Charles Henry Willey, New Hampshire; Frank L. Anders, North Dakota; Ernest Childers, Oklahoma; John R. Crews, Oklahoma; Jack C. Montgomery, Oklahoma; Robert D. Maxwell, Oregon; Gino J. Merli, Pennsylvania; Oscar Schmidt, Pennsylvania; Thomas Eadie, Rhode Island; Charles H. Coolidge, Tennessee; Carlton W. Barrett, Virginia; Raymond G. Davis, Virginia; Paul F. Foster, Virginia; James R. Hendrix, Virginia; John Mihalowski, Virginia; Louis H. Wilson, Virginia; Orville E. Bloch, Washington; Robert E. Bonney, Washington; Einar H. Ingman, Wisconsin; Herschel W. Williams, West Virginia; and their successors are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be by the name of the Congressional Medal of Honor Society of the United States of America (hereafter referred to as the "corporation") and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Pub. L. 85-642, § 1, Aug. 14, 1958, 72 Stat. 597.)

§ 792. Omitted

CODIFICATION

Section, Pub. L. 85-642, § 2, Aug. 14, 1958, 72 Stat. 597, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 793. Objects and purposes of corporation

The objects and purposes of the corporation are as follows:

(1) To form a bond of friendship and comradeship among all holders of the Congressional Medal of Honor.

(2) To protect, uphold, and preserve the dignity and honor of the medal at all times and on all occasions.

(3) To protect the name of the medal, and individual holders of the medal from exploitation.

(4) To provide appropriate aid to all persons to whom the medal has been awarded, their widows or their children.

(5) To serve our country in peace as we did in war.

(6) To inspire and stimulate our youth to become worthy citizens of our country.

(7) To foster and perpetuate Americanism.

(Pub. L. 85-642, § 3, Aug. 14, 1958, 72 Stat. 598.)

§ 794. Powers of corporation

The corporation shall have power—

(1) to sue and be sued, complain and defend in any court of competent jurisdiction;

(2) to adopt, alter, and use a corporate seal;

(3) to choose officers, managers, and agents as the business of the corporation may require;

(4) to charge and collect membership dues;

(5) to adopt, amend, apply, and alter a constitution and bylaws not inconsistent with the laws of the United States of America or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take and hold by lease, gift, purchase, grant, devise, bequest or otherwise any property real, personal, or mixed, necessary or convenient for attaining the objects of the corporation, subject, however, to applicable provisions of law of any State, (a) governing the amount or kind of real and personal property which may be held by, or, (b) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State;

(8) to transfer, lease, or convey real or personal property;

(9) to borrow money for the purposes of the corporation and issue bonds or other evidences of indebtedness therefor and secure the same by mortgage or pledge subject to applicable Federal or State laws; and

(10) to do any and all acts necessary and proper to carry out the purposes of the corporation.

(Pub. L. 85-642, § 4, Aug. 14, 1958, 72 Stat. 598.)

§ 795. Principal office; territorial scope of activities; resident agent

(a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may later be determined by the board of directors but the activities of the corporation shall not be confined to that place and may be conducted throughout the various Territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service and process for the corporation; and notice to or service upon such agent or mailed to the business address of such agent shall be deemed as service to or notice on the corporation.

(Pub. L. 85-642, § 5, Aug. 14, 1958, 72 Stat. 598.)

§ 796. Eligibility for membership

(a) Requirement

Any person who has been awarded the Medal of Honor is eligible for membership in the society.

(b) Honorary memberships

Honorary memberships shall not be granted.

(c) Voting rights

Each member of the corporation shall have the right to one vote either in person or by proxy on each matter submitted to a vote at all meetings of the members of the corporation.

(Pub. L. 85-642, § 6, Aug. 14, 1958, 72 Stat. 599.)

§ 797. Board of directors

(a) Composition of initial board

The governing body of the corporation is its board of directors which during the year 1958 will comprise the following: President, David M. Shoup; executive vice president, Joel T. Boone; secretary-treasurer, Samuel I. Parker; first regional vice president, Nicholas Oresko; second regional vice president, Luther Skaggs; third regional vice president, Rufus G. Herring; fourth regional vice president, Nathan Gordon; fifth regional vice president, Joseph J. McCarthy; sixth regional vice president, Pierpont M. Hamilton; who currently hold such offices in the Congressional Medal of Honor Society of the United States of America.

(b) Composition of subsequent boards; tenure

Thereafter the board of directors of the corporation shall consist of such number (not less than nine), shall be elected in such manner (including the filling of vacancies) and shall serve their terms as may be prescribed in the bylaws of the corporation.

(c) Powers; voting rights; meetings; chairman

The board of directors may exercise, or provide for the exercise of, the powers herein granted to the corporation, and each member of the board shall have one vote upon all matters determined, except that if the offices of secretary and treasurer are combined and are held by one person, he shall have only one vote as a member of the board of directors. The board shall meet at least annually. The president of the corporation shall act as chairman of the board.

(Pub. L. 85-642, § 7, Aug. 14, 1958, 72 Stat. 599.)

§ 798. Officers of corporation

(a) Composition

The officers of the corporation shall consist of a president, executive vice president, secretary, treasurer, and six regional vice presidents as may be provided in the bylaws. The office of secretary may be combined with the office of treasurer and the combined offices may be held by one person.

(b) Powers

The officers shall have such powers consistent with this charter, as may be determined by the bylaws.

(c) Election; tenure; duties

The officers of the corporation shall be elected in such manner and have such terms and with such duties as may be prescribed in the bylaws of the corporation.

(Pub. L. 85-642, § 8, Aug. 14, 1958, 72 Stat. 599.)

§ 799. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any member, officer, or director as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation, nor shall any member or private individual be liable for the obligations of the corporation. Nothing in this section, however, shall be construed to prevent—

(1) the payment of bona fide expenses of officers of the corporation in amounts approved by the board or[1] directors; or

(2) the payment of appropriate aid to persons to whom the Medal of Honor has been awarded, their widows or their children pursuant to the objects of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any officer or director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation and any officer who participates in the making of such loan shall be jointly and severally liable to the corporation for the amount of such loan until the payment thereof.

(Pub. L. 85-642, § 9, Aug. 14, 1958, 72 Stat. 599.)

§ 800. Nonpolitical nature of corporation

The corporation and its officers and directors as such shall not contribute to or participate in, directly or indirectly, local or national political activity or in any manner attempt to influence legislation.

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[1] So in original. Probably should be "of".

(Pub. L. 85-642, § 10, Aug. 14, 1958, 72 Stat. 600.)

§ 801. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 85-642, § 11, Aug. 14, 1958, 72 Stat. 600.)

§ 802. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or declare or pay dividends.

(Pub. L. 85-642, § 12, Aug. 14, 1958, 72 Stat. 600.)

§ 803. Books and records; inspection

The corporation shall keep correct and complete books and records of account. It shall also keep minutes of the proceedings of its membership and of the board of directors or committees having authority under the board of directors. It shall also keep at its principal office a record giving the names and addresses of its members, directors, and officers. All books and records of the corporation may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time.

(Pub. L. 85-642, § 13, Aug. 14, 1958, 72 Stat. 600.)

§ 804. Repealed. Pub. L. 88-504, § 4(28), Aug. 30, 1964, 78 Stat. 637

Section, Pub. L. 85-642, § 14, Aug. 14, 1958, 72 Stat. 600, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 805. Use of assets upon dissolution or liquidation

Upon final dissolution or liquidation of the corporation and after discharge or satisfaction of all outstanding obligations and liabilities the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the bylaws of the corporation and all Federal and State laws applicable thereto.

(Pub. L. 85-642, § 15, Aug. 14, 1958, 72 Stat. 600.)

§ 806. Omitted

CODIFICATION

Section, Pub. L. 85-642, § 16, Aug. 14, 1958, 72 Stat. 601, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of New York and known as the Congressional Medal of Honor Society of the United States, Incorporated, was omitted from the Code as executed.

§ 807. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 85-642, § 17, Aug. 14, 1958, 72 Stat. 601.)

CHAPTER 34—MILITARY ORDER OF THE PURPLE HEART OF THE UNITED STATES OF AMERICA

Sec.
821. Corporation created.
822. Omitted.
823. Principles and objects of corporation.
824. Powers of corporation.
825. Principal office; territorial scope of activities; resident agent.
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827. Board of directors.
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828. Officers of corporation; election.
829. Distribution of income or assets to members; loans.
830. Nonpolitical nature of corporation.
831. Liability for acts of officers and agents.
832. Prohibition against issuance of stock or payment of dividends.
833. Books and records; inspection.
834. Repealed.
835. Use of assets on dissolution or liquidation.
836. Omitted.
837. Reservation of right to amend or repeal chapter.

§ 821. Corporation created

The following persons to wit: Richard Golick, Chicago, Illinois; William B. Eaton, Lansing, Michigan; Victor F. Kubly, Daytona Beach, Flcrida; Luther Smith, Harrisburg, Pennsylvania; Olin E. Teague, College Station, Texas; Charles E. Potter, Cheboygan, Michigan; Paul H. Douglas, Chicago, Illinois; B. Carroll Reece, Johnson City, Tennessee; Errett P. Scrivner, Kansas City, Kansas; Edward Martin, Washington, Pennsylvania; General Melvin J. Maas, Saint Paul, Minnesota; General Patrick J. Hurley, Santa Fe, New Mexico; General William A. Donovan, New York, New York; Admiral John F. Ford, Hollywood, California;

Colonel Robert M. Bringham, Los Angeles, California; John J. Martin, Madison, Wisconsin; Robert Schroeder, Milwaukee, Wisconsin; Frank A. Weber, Bearer, Pennsylvania; Thomas A. Powers, Brooklyn, New York; Major Wilbur E. Dove, Washington, District of Columbia; Ernest L. Ihbe, Milwaukee, Wisconsin; Lloyd E. Henry, Hyattsville, Maryland; Stanley B. Kirschbaum, Detroit, Michigan; Raymond Cocklin, Daytona Beach, Florida; Francis J. Maguire, Gloucester City, New Jersey; Clifford A. Parmenter, Long Beach, California; Harry H. Dietz, Baltimore, Maryland; Charles S. Iskin, Miami, Florida; Victor N. Lukatz, Cincinnati, Ohio; John P. Hapsch, Minneapolis, Minnesota; Richard J. Flanders, Waukegan, Illinois; General Douglas MacArthur, New York, New York; General James A. Van Fleet, Auburndale, Florida;

William J. Schroder, Pelham, New York; John H. Hoppe, D.S.C., Alexandria, Virginia; John C. Reynolds, Covington, Kentucky; Anton Kneller, Philadelphia, Pennsylvania; John L.

Schwartz, Albuquerque, New Mexico; Henry Marquard, Elmhurst, Illinois; James C. Doyle, Arlington, Massachusetts; Frank Heidel, Harrisburg, Pennsylvania; John E. Schwend, Webster Groves, Missouri; Anthony Badamo, Quincy, Illinois; Joseph E. Stanger, Bridgeton, New Jersey; Frank V. Fromme, Jasper, Indiana; Arthur Goetsch, Davenport, Iowa; Joseph Stiegler, Junior, Silver Spring, Maryland; William E. Savage, Seattle, Washington; Jack Medford, Tucson, Arizona; Joseph C. Kolinsky, Middletown, Connecticut; Jack M. Deckard, Tampa, Florida; Ted J. Swedo, North Chicago, Illinois; Linus Vonderheide, Saint Anthony, Indiana; Joseph Earith, Sioux City, Iowa; Howell Brewer, doctor of medicine, Shreveport, Louisiana; Francis Donnelly, Arlington, Massachusetts;

Bernard J. Young, Chicago, Illinois; Joseph Richter, Saint Louis, Missouri; William Long, North Troy, New York; Kevin J. Murphy, Bronx, New York; William H. Kinsinger, Columbus, Ohio; Carl R. Carlson, Portland, Oregon; Ray Dorris, Portland, Oregon; James Gehas, Coatesville, Pennsylvania; Charles J. Showalter, Lancaster, Pennsylvania; Aloysius J. Healy, Madison, Wisconsin; Charles O. Carlston, San Francisco, California; Andrew Munson, Sioux Falls, South Dakota; Peter C. Mueller, Glendora, California; John D. Goodin, Johnson City, Tennessee; Lars Eilefson, Billings, Montana; W. Phil Bohnert, Indianapolis, Indiana;

Orral O. Jackson, Sioux Falls, South Dakota; Major General Thomas F. Foley, Worcester, Massachusetts; Reverend Alfred W. Price, Philadelphia, Pennsylvania; John T. Mullins, New York, New York; Frank Cushner, Ansonia, Connecticut; Colonel Walter F. Bowman, California; Michael Thiede, Dearborn, Michigan; Robert Sobel, Phoenix, Arizona; Ray Schulze, Yountville, California; Joseph Feingold, Miami, Florida; Herbert McFarland, Cumberland, Maryland; Arthur LaBrack, Brighton, Massachusetts; John W. Fitzer, Junior, Detroit, Michigan; Arthur F. D. Evans, Saint Louis, Missouri; Roland C. Smith, Orange, New Jersey; Charles Burkhardt, Troy, New York; Hugo Engler, Ridgefield, Washington; Edward Commers, Helena, Montana;

Theodore Fauntz, Seattle, Washington; Albert O. Rabassa, Baltimore, Maryland; Michael Doohan, New Haven, Connecticut; Occa V. Phillips, Saint Cloud, Minnesota; Uriah Lucas, Salisbury, North Carolina; Donald Lindley, Kansas City, Missouri; Percy O. Buterbaugh, Lincoln, Nebraska; Stanley C. Lagncaskey, Trenton, New Jersey; Alfred J. Gardner, Statesville, North Carolina; Sagie Nishioka, Salem, Oregon; Edgar Eichler, San Antonio, Texas; H. J. Theisen, Port Orchard, Washington; Colonel Michael Ushakoff, Seattle, Washington; Alfred H. Klineschmidt, Reno, Nevada;

Francis J. Cayouette, Augusta, Maine; William Floyd, Aurora, Colorado; Henry H. Carter, Junior, North Augusta, South Carolina; Ike Parish, Marianna, Arkansas; Daniel P. Borota, Gary, Indiana; Jerome S. Daunhauer, Ferdinand, Indiana; Robert H. Gamber, Davenport, Iowa; William Powers, Lyndon, Kentucky; Colonel Michael Glossinger, Waneland, Mississippi; Kenneth Spry, Wyandotte, Michigan; Joseph C. Taylor, Youngstown, Ohio; George A. Davis, Helena, Montana; Harold H. Hamilton, Lancaster, Pennsylvania; Thomas H. McGovran, Charleston, West Virginia;

Bernard Maurer, Edgemoor, Delaware; Marcus E. Diffenderfer, Ossipee, New Hampshire; Andrew Nomland, Grand Forks, North Dakota; Admiral John Hoskins, Quonset, Rhode Island; Jesus Ascencio Vazquez, South Margarita, Canal Zone; Ernest Collins, Arlington, Virginia; Genaro Cabrera, Cayey, Puerto Rico; Roberto Cruz Figueroa, Rio Piedras, Puerto Rico; Henry B. Haina, Honolulu, Hawaii; John T. Stanton, Kansas City, Kansas; and their successors are created and declared to be a body corporate of the District of Columbia, where the legal domicile shall be, by the name of the Military Order of the Purple Heart of the United States of America, Incorporated (hereinafter referred to as the "corporation"), and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Pub. L. 85-761, § 1, Aug. 26, 1958, 72 Stat. 854.)

§ 822. Omitted

CODIFICATION

Section, Pub. L. 85-761, § 2, Aug. 26, 1958, 72 Stat. 855, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 823. Principles and objects of corporation

(a) The principles underlying the corporation are patriotic allegiance to the United States of America, fidelity to its Constitution and laws, the security of civil liberty, and the permanence of free institutions.

(b) The objects of the corporation are educational, fraternal, historical, and patriotic, perpetuating the principles of liberty and justice which have created the United States of America, by (1) commemorating all national patriotic holidays; (2) maintaining true allegiance to the Government of the United States of America and fidelity to its Constitution and laws; (3) preserving and strengthening comradeship and patriotism amongst its members; (4) assisting, comforting, and aiding all needy and distressed members and their dependents; (5) giving needed hospital and service work through its Veterans' Administration certified service officers; (6) cooperating with other civic and patriotic organizations having worthy objectives; (7) keeping alive the achievements and memory of our country's founders; (8) ever cherishing the memory of General George Washington, who founded the Purple Heart at his headquarters at Newburgh-on-the-Hudson, on August 7, 1782; (9) influencing and teaching our citizenry, in a loyal appreciation of the heritages of American citizenship, with its responsibilities and privileges; and (10) preserving and defending the United States of America from all enemies whomsoever.

(Pub. L. 85-761, § 3, Aug. 26, 1958, 72 Stat. 855.)

§ 824. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use and alter a corporate seal;

(4) to charge and collect membership dues;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm or individual and to hold any property, real, personal or mixed, necessary or convenient for attaining the object and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws.

(Pub. L. 85-761, § 4, Aug. 26, 1958, 72 Stat. 856.)

§ 825. Principal office; territorial scope of activities; resident agent

(a) The principal office of the corporation shall be located in Washington, District of Columbia, or in any such other place as may later be determined by the national executive board, but the activities of the corporation shall not be confined to that place and may be conducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Pub. L. 85-761, § 5, Aug. 26, 1958, 72 Stat. 856.)

§ 826. Eligibility for membership

(a) Requirements

All persons of good moral character who are, have been, or may become members of the Armed Forces of the United States or any foreign country of whatever rank, who have received or who may hereafter receive the Purple Heart for wounds received during military or naval combat against an armed enemy of the United States, shall be eligible for active membership in the corporation.

(b) Extension of membership to parents and descendants

The corporation shall have the power, moreover, to extend eligibility for membership, as associate members; to parents and lineal descendants of the described in subsection (a) of this section under such conditions and upon such terms as the corporation may specify in its constitution and bylaws.

(c) Voting rights

Each member of the corporation, other than associate members, shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

(d) Exception

Notwithstanding the limitations set out in subsections (a) and (b) of this section, any member in good standing of the corporate body referred to in section 836 of this title shall be admitted on request to comparable membership in the corporation created by this chapter.

(Pub. L. 85-761, § 6, Aug. 26, 1958, 72 Stat. 857.)

REFERENCES IN TEXT

Section 836 of this title, referred to in subsec. (d), was omitted from the Code as executed.

§ 827. Board of directors

(a) Composition of initial board

Upon the enactment of this chapter the membership of the initial board of directors of the corporation shall consist of the present officers of the Military Order of the Purple Heart, referred to in section 836 of this title, or such of them as may then be living and are qualified officers of that corporation, to wit: Richard P. Golick of Chicago, Illinois; Adolph Sutro, Hollywood, California; William B. Eaton of Lansing, Michigan; Joseph Martin of Menandes, New York; Reverend Thomas W. Riordan, Chicago, Illinois; Victor F. Kubly, Daytona Beach, Florida; Albert Gale, Minneapolis, Minnesota; Wilbur E. Dove, Washington, District of Columbia; James B. Barrett, doctor of medicine, Troy, New York; who are respectively, the commander, the senior vice commander, finance officer, judge advocate, chaplain, adjutant, inspector, historian, and surgeon.

(b) Composition of subsequent boards; tenure

Thereafter, the board of directors of the corporation shall consist of such number (not less than eighteen), shall be selected in such manner (including the filling of vacancies), and shall serve for such terms as may be prescribed in the constitution and bylaws of the corporation.

(c) Powers and responsibilities

The board of directors shall be the governing board of the corporation and shall, during the intervals between corporation meetings, be responsible for the general policies and program of the corporation. The board shall be responsible for all finances of the corporation.

(Pub. L. 85-761, § 7, Aug. 26, 1958, 72 Stat. 857.)

REFERENCES IN TEXT

"Enactment of this chapter" referred to in subsec. (a), means enactment of Pub. L. 85-761, which was enacted Aug. 26, 1958.

Section 836 of this title, referred to in subsec. (a), was omitted from the Code as executed.

§ 828. Officers of corporation; election

(a) The officers of the corporation shall be a commander, a senior vice commander, a chaplain, an adjutant, a finance officer, a judge advocate, an inspector, a surgeon, a historian, and other elected officers as prescribed in the constitution and bylaws of the corporation.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 85-761, § 8, Aug. 26, 1958, 72 Stat. 857.)

§ 829. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any member, officer, or director, or be distributable to any such person otherwise than upon dissolution or final liquidation of the corporation as provided in section 835 of this title. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the executive committee of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation, and any officer who participates in the making of such loan, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 85-761, § 9, Aug. 26, 1958, 72 Stat. 858.)

§ 830. Nonpolitical nature of corporation

The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Pub. L. 85-761, § 10, Aug. 26, 1958, 72 Stat. 858.)

§ 831. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 85-761, § 11, Aug. 26, 1958, 72 Stat. 858.)

§ 832. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Pub. L. 85-761, § 12, Aug. 26, 1958, 72 Stat. 858.)

§ 833. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

(Pub. L. 85-761, § 13, Aug. 26, 1958, 72 Stat. 858.)

§ 834. Repealed. Pub. L. 88-504, § 4(29), Aug. 30, 1964, 78 Stat. 637

Section, Pub. L. 85-761, § 14, Aug. 26, 1958, 72 Stat. 858, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 835. Use of assets on dissolution or liquidation

Upon final dissolution or liquidation of the corporation, and after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

(Pub. L. 85-761, § 15, Aug. 26, 1958, 72 Stat. 859.)

§ 836. Omitted

CODIFICATION

Section, Pub. L. 85-761, § 16, Aug. 26, 1958, 72 Stat. 859, which authorized the acquisition by the corporation of the assets and liabilities of the corporation organized under the laws of the State of New Jersey and known as the Military Order of the Purple Heart of the United States of America, Incorporated, was omitted from the Code as executed.

§ 837. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 85-761, § 17, Aug. 26, 1958, 72 Stat. 859.)

CHAPTER 35—BLINDED VETERANS ASSOCIATION

Sec.
851. Corporation created.
852. Omitted.
853. Purposes and objects of corporation.
854. Powers of corporation.
855. Principal office; territorial scope of activities; resident agent.
856. Eligibility for membership; honorary and associate membership; membership in prior corporation.
857. Governing body.
    (a) Composition.
    (b) Removal for cause.
    (c) Vacancies.
    (d) Quorum requirement; voting.
858. Officers of corporation.
    (a) Number and position.
    (b) Powers.
    (c) Elections.
859. Distribution of income or assets to members; loans.
860. Nonpolitical nature of corporation.
861. Liability for acts of officers and agents.
862. Prohibition against issuance of stock or payment of dividends.
863. Books and records; inspection.
864. Repealed.
865. Use of assets upon dissolution or liquidation.
866. Omitted.
867. Exclusive right to name, seals, emblems, and badges.
868. Reservation of right to amend or repeal chapter.

§ 851. Corporation created

The following persons, to wit: John E. Mattingly, New Britain, Connecticut; Robert A. Bottenberg, San Antonio, Texas; Norbert L. Cormier, Newington, Connecticut; Michael I. Bernay, El Monte, California; Durham D. Hall, Reedsport, Oregon; James H. Butler, Miami Springs, Florida; Melvin J. Maas, Chevy Chase, Maryland; Julius D. Morris, New Britain, Connecticut; David L. Schnair, Bronx, New York; W. Marshall Smith, Springfield, Virginia; Guy Stone, Champaign, Illinois; Walter F. Stromer, Mount Vernon, Iowa; Raymond T. Frey, Lebanon, Pennsylvania; Henry Masse, West Medford, Massachusetts; Joseph Smietanowski, Rochester, New York;

Edward J. Hoyczyk, Snyder, New York; Russell C. Williams, Maywood, Illinois; H. Smith Shumway, Cheyenne, Wyoming; H. P. Adams, Sommerville, South Carolina; Thomas C. Hasbrook, Indianapolis, Indiana; Leonard E. Shelhamer, North Caldwell, New Jersey; Thomas J. Broderick, Chicago, Illinois; George M. Gillispie, Gardena, California; Peter J. McKenna, Minneapolis, Minnesota; William A. Miller, San Antonio, Texas; Phillip N. Harrison, Harrisburg, Pennsylvania; Vasco de Gama Hale, Bloomfield, Connecticut; William W. Thompson, Bethesda, Maryland; Gordon H. Damery, Brighton, Massachusetts; Irvin P. Schloss, Washington, District of Columbia; Darwin W. Niles, Hammond, Indiana; Curtis F. Weygand, Gadsden, Alabama; Alfous Vaughan, Camden, Arkansas;

Walter R. Andrews, Roseda, California; Clarence C. Carlson, Lynwood, California; Jesse S. Castillo, Los Angeles, California; James Harris, Los Angeles, California; Sanji Kimoto, Long Beach, California; Jose Reyes, Lynwood, California; Neftali Sanchez, Los Angeles, California; Derald W. Stange, Los Angeles, California; Paul U. Brower, Oakland, California; Clarence Costello, Oakland, California; Herbert P. Oakes, Denver, Colorado; Robert W. Taylor, Pueblo, Colorado; Ernest M. Bowen, Granby, Connecticut; Dominic Buonocore, Waterbury, Connecticut; Edward Cousineau, Windsor Locks, Connecticut; Theodore Wysocki, West Hartford, Connecticut; Francisco de la Cruz, Washington, District of Columbia; Raymond N. Goldstein, Washington, District of Columbia; John H. Jones, Washington, District of Columbia; John S. Nadeau, Washington, District of Columbia; Adolph E. Anglan, Daytona Beach, Florida;

LaRue S. Milne, Largo, Florida; Robert L. Robinson, Orlando, Florida; Charles H. Monroe, Savannah, Georgia; Hisatomi Hiyasaka, Sugar City, Idaho; Fay Anderson, Pocatonia, Illinois; Irvin J. Edwards, Lee, Illinois; Marvin Halladay, Bensenville, Illinois; Vincent Ortiz, Senior, Blue Island, Illinois; Raymond D. McCarty, La Porte, Indiana; Gerald J. Miller, Rensselaer, Indiana; Charles T. Rachels, Mount Vernon, Indiana; John W. Stalcup, Indianapolis, Indiana; William E. Cassell, Cumberland, Maryland; Frank L. Bavin, Wilmington, Massachusetts; Jerome F. Bowen, Chelsea, Massachusetts; Walter F. Branlund, Braintree, Massachusetts; Daniel B. Carveth, Annisquam, Massachusetts;

Adolfo Cenci, Somerville, Massachusetts; Nathan Cohen, Winthrop, Massachusetts; John F. Crowson, Petersham, Massachusetts; Michael Carl Dec, Chester, Massachusetts; Joseph D. DeLaura, Worcester, Massachusetts; Albert de Simone, Revere, Massachusetts; John W. Feeley, Worcester, Massachusetts; Francis V. Hammersley, Malden, Massachusetts; Francis Hennessey, Hyde Park, Massachusetts; H. F. le Blanc, Haverhill, Massachusetts; Edward J. Leslie, Lynn, Massachusetts; John Lundgren, Malden, Massachusetts; Phillip Malatesta, Malden, Massachusetts; William McFayden, Ludlow, Massachusetts; Kenneth A. Meister, Amesbury, Massachusetts; J. H. Schuster, Holbrook, Massachusetts;

Chester J. Sweeney, Dorchester, Massachusetts; John C. Taylor, Boston, Massachusetts; Alfred J. Therrien, Lawrence, Massachusetts; Otto Huwe, New Haven, Michigan; Ernest M. Wiedyk, Auburn, Michigan; Ralph H. Sather, North Branch, Minnesota; Wesley E. Burney, Kansas City, Missouri; James A. Schelich, Washington, Missouri; Raymond T. Auprey, Penacock, New Hampshire; John A. Clarke, New Brunswick, New Jersey; Edward Heimrich, Belleville, New Jersey; Frederich Koch, Paramus, New Jersey; Michael A. Spencer, Belleville, New Jersey; John Abrams, New York, New York; Walter Biedrzycki, Mineola, New York; Francis J. Chambers, New York, New York; Roger P. Conant, New York, New York; Jerome E. Dompierre, Buffalo, New York;

Anthony Duino, Dunkirk, New York; Salvatore Iadanza, Central Islip, New York; Michael J. Kralovich, Jackson Heights, New York; Michael A. Lettiere, Brooklyn, New York; Joseph A. Martone, Syracuse, New York; Robert I. McGinnis, Poughkeepsie, New York; Harry J. Owens, Cassville, New York; Alrid Plaskett, South Ozone Park, New York; Jack Shapiro, Jackson Heights, New York; Andrew G. Tomanek, Jackson Heights, New York; Paul Viviano, Sunnyside, New York; Michael Weber, Watertown, New York; Narcus Zetkin, New York, New York; John Henry Edge, Rocky Mount, North Carolina; Henry C. Riggins, Asheville, North Carolina; George H. Williams, Rocky Mount, North Carolina; John C. Smallbeck, Aneta, North Dakota;

A. W. Brent, Cleveland, Ohio; Floyd H. Miller, Louisville, Ohio; Carl Mock, Logan, Ohio; James L. Park, Middlefield, Ohio; John Bernabo, Bolivar, Pennsylvania; Richard G. Brooks, Philadelphia, Pennsylvania; Charles P. Hogan, Pittsburgh, Pennsylvania; Richard A. Neiman, Lancaster, Pennsylvania; Steve T. Olesnanik, Lake City, Pennsylvania; Curtis W. Sechrist, East York, Pennsylvania; Edward A. Zelonis, Harrisburg, Pennsylvania; Herman W. Nodine, Greenville, South Carolina; Emil M. Larson, Sioux Falls, South Dakota; Randolph H. Greene, Lubbock, Texas; Alfred Poe, El Paso, Texas; James A. H. Brown, Lynchburg, Virginia; Harold A. Bussey, Norfolk, Virginia; Bernie C. Lear, Chesterfield, Virginia; Charles F. MacFarlane, Seattle, Washington; John A. Veith, Lost Creek, West Virginia; Richard J. Hunt, Madison, Wisconsin;

Alvin R. Johnson, Milwaukee, Wisconsin; Leo A. Urbaniak, Troy Center, Wisconsin; Julio C. Galarza Torres, Rio Piedras, Puerto Rico; John

P. Collins, West Monroe, Louisiana; Gerald J. DuBois, Morgan City, Louisiana; James L. Womack, Winnfield, Louisiana; Blaise Angelico, New Orleans, Louisiana; Tom Byrnes, Shreveport, Louisiana; Reynolds T. Liner, Houma, Louisiana; David Martin, Lafayette, Louisiana; Joseph Emile DuPont, Plaquemine, Louisiana; Joseph C. Hattier, Metarie, Louisiana; Steve Champagne, Saint Martinville, Louisiana; Stephen Carra, New Orleans, Louisiana; Clarence Clark, West Monroe, Louisiana; Bernard J. Cramer, Crowley, Louisiana; Vernon Parenton, Baton Rouge, Louisiana; Daniel Pinchera, Shreveport, Louisiana; Joseph Roth, Gonzales, Louisiana; James Turner, Varnado, Louisiana; Edwin Westrate, Port Allen, Louisiana; Preston Wyatts, Natchitoches, Louisiana; and each other person who, on the date of enactment of this chapter, is a member in good standing of Blinded Veterans Association, Incorporated, a corporation organized and existing under the membership corporation law of the State of New York, and their successors, are created and declared to be a body corporate by the name of Blinded Veterans Association (referred to in this chapter as the "corporation") and by such name shall be known and have perpetual succession of the powers, limitations, and restrictions contained in this chapter.

(Pub. L. 85-769, § 1, Aug. 27, 1958, 72 Stat. 922.)

§ 852. Omitted

CODIFICATION

Section, Pub. L. 85-769, § 2, Aug. 27, 1958, 72 Stat. 924, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 853. Purposes and objects of corporation

The objects and purposes of the corporation shall be as follows:

(1) To promote the welfare of blinded veterans so that, notwithstanding their disabilities, they may take their rightful place in the community and work with their fellow citizens toward the creation of a peaceful world.

(2) To preserve and strengthen a spirit of fellowship among blinded veterans so that they may give mutual aid and assistance to one another.

(3) To maintain and extend the institutions of American freedom and to encourage loyalty to the Constitution and laws of the United States and of the States in which they reside.

(4) To be organized and operated as a corporation not for profit, no part of the income or assets of which shall inure to the benefit of any of its members, directors, or officers, nor be distributable thereto otherwise than upon dissolution or final liquidation; and such corporation is organized and shall be operated exclusively for charitable, educational, patriotic, and civic improvement purposes.

(Pub. L. 85-769, § 3, Aug. 27, 1958, 72 Stat. 924.)

§ 854. Powers of corporation

The corporation shall have power—

(1) to sue and be sued, complain and defend in any court of competent jurisdiction;

(2) to adopt, alter, and use a corporate seal;

(3) to choose officers, managers, and agents as the business of the corporation may require;

(4) to charge and collect membership dues;

(5) to adopt, amend, apply, and alter a constitution and bylaws not inconsistent with the laws of the United States of America or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take and hold by lease, gift, purchase, grant, devise, bequest or otherwise any property real, personal, or mixed, necessary or convenient for attaining the objects of the corporation, subject, however, to applicable provisions of law of any State, (a) governing the amount or kind of real and personal property which may be held by, or, (b) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State;

(8) to transfer, lease, or convey real or personal property;

(9) to borrow money for the purposes of the corporation and issue bonds or other evidences of indebtedness therefor and secure the same by mortgage or pledge subject to applicable Federal or State laws; and

(10) to do any and all acts necessary and proper to carry out the purposes of the corporation.

(Pub. L. 85-769, § 4, Aug. 27, 1958, 72 Stat. 924.)

§ 855. Principal office; territorial scope of activities; resident agent

(a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may later be determined by the board of directors but the activities of the corporation shall not be confined to that place and may be conducted throughout the various Territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service and process for the corporation; and notice to or service upon such agent or mailed to the business address of such agent shall be deemed as service to or notice on the corporation.

(Pub. L. 85-769, § 5, Aug. 27, 1958, 72 Stat. 925.)

§ 856. Eligibility for membership; honorary and associate membership; membership in prior corporation

Any person who was enlisted, drafted, inducted, or commissioned in the Armed Forces of the United States and who, in the line of duty in such service, has sustained a substantial impairment of sight or vision, as such is defined from time to time by the bylaws of the corporation, shall be eligible for general membership in the corporation. In addition to the general membership, there shall be special classes of honorary and associate membership, qualification or eligibility for which, and rights and obligations of which, shall be as provided from time to time by the bylaws of the corporation. All persons who are members of any class of Blinded Veterans Association, Incorporated, on August 27, 1958 shall be members of such class of the corporation.

(Pub. L. 85-769, § 6, Aug. 27, 1958, 72 Stat. 925.)

§ 857. Governing body

(a) Composition

The number of directors shall be not less than three nor more than fifteen[1] said directors shall be divided into a specified number of classes, each class holding office for a definite period of years, as shall be provided from time to time by the bylaws of the corporation, except that the directors of Blinded Veterans Association, Incorporated, on August 27, 1958 shall be the first directors of the corporation.

(b) Removal for cause

Any director of the corporation may be removed at any time for just and proper cause by a vote of a majority of a quorum of directors present at a meeting called for that purpose.

(c) Vacancies

If a vacancy occurs in the office of director of the corporation, a majority of a quorum of the remaining directors present at a meeting duly called for that purpose may elect a director to fill such vacancy until the next annual meeting of the corporation.

(d) Quorum requirement; voting

A majority of the directors shall be present at any meeting of directors in order to constitute a quorum and the votes of a majority of the directors so present shall be necessary for the transaction of any business.

(Pub. L. 85-769, § 7, Aug. 27, 1958, 72 Stat. 925.)

§ 858. Officers of corporation

(a) Number and positions

The corporation shall have such officers as may be provided for in the bylaws.

(b) Powers

The officers shall have such powers consistent with this charter, as may be determined by the bylaws.

(c) Elections

The officers of the corporation shall be elected in such manner and have such terms and with such duties as may be prescribed in the bylaws of the corporation.

(Pub. L. 85-769, § 8, Aug. 27, 1958, 72 Stat. 925.)

§ 859. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any member, officer, or director as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation, nor shall any member or private individual be liable for the obligations of the corporation. Nothing in this section, however, shall be construed to prevent—

(1) the payment of bona fide expenses of officers of the corporation in amounts approved by the board of directors; or

(2) the payment of appropriate aid to blinded veterans, their widows or their children pursuant to the objects of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any officer or director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation and any officer who participates in the making of such loan shall be jointly and severally liable to the corporation for the amount of such loan until the payment thereof.

(Pub. L. 85-769, § 9, Aug. 27, 1958, 72 Stat. 926.)

§ 860. Nonpolitical nature of corporation

The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

(Pub. L. 85-769, § 10, Aug. 27, 1958, 72 Stat. 926.)

§ 861. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 85-769, § 11, Aug. 27, 1958, 72 Stat. 926.)

§ 862. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or declare or pay dividends.

(Pub. L. 85-769, § 12, Aug. 27, 1958, 72 Stat. 926.)

§ 863. Books and records; inspection

The corporation shall keep correct and complete books and records of account. It shall also keep minutes of the proceedings of its membership and of the board of directors or committees having authority under the board of directors. It shall also keep at its principal office a record giving the names and addresses of its members, directors, and officers. All books and records of the corporation may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time.

(Pub. L. 85-769, § 13, Aug. 27, 1958, 72 Stat. 926.)

§ 864. Repealed. Pub. L. 88-504, § 4(30), Aug. 30, 1964, 78 Stat. 637

Section, Pub. L. 85-769, § 14, Aug. 27, 1958, 72 Stat. 926, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 865. Use of assets upon dissolution or liquidation

Upon final dissolution or liquidation of the corporation and after discharge or satisfaction of all outstanding obligations and liabilities the remaining assets of the corporation shall be transferred to the Veterans' Administration to be applied to the care and comfort of blinded veterans.

(Pub. L. 85-769, § 15, Aug. 27, 1958, 72 Stat. 927.)

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[1] So in original. Probably should have a period.

§ 866. Omitted

Codification

Section, Pub. L. 85-769, § 16, Aug. 27, 1958, 72 Stat. 927, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of New York and known as the Blinded Veterans Association, Incorporated, was omitted from the Code as executed.

§ 867. Exclusive right to name, seals, emblems, and badges

The corporation and its duly authorized regional groups and other local subdivisions shall have the sole and exclusive right to have and use in carrying out its purposes the name Blinded Veterans Association and such seals, emblems, and badges as the corporation may lawfully adopt.

(Pub. L. 85-769, § 17, Aug. 27, 1958, 72 Stat. 927.)

§ 868. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 85-769, § 18, Aug. 27, 1958, 72 Stat. 927.)

CHAPTER 36—BIG BROTHERS OF AMERICA

Sec.
881. Corporation created.
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883. Purposes of corporation.
884. Powers of corporation.
885. Principal office; scope of activities; resident agent.
886. Membership; voting rights.
887. Governing body.
    (a) Composition.
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888. Officers of corporation; election; tenure; duties.
889. Distribution of income or assets to members; loans.
890. Nonpolitical nature of corporation.
891. Liability for acts of officers and agents.
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893. Books and records; inspection.
894. Repealed.
895. Exclusive right to name, emblems, seals, and badges.
896. Omitted.
897. Use of assets upon dissolution or liquidation.
898. Reservation of right to amend or repeal chapter.

§ 881. Corporation created

The following persons: Charles G. Berwind, Philadelphia, Pennsylvania; Mark Willcox, Junior, Philadelphia, Pennsylvania; Earle S. Thompson, New York, New York; Archie O. Dawson, New York, New York; Isadore A. Wyner, New York, New York; and their successors, are hereby created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Big Brothers of America (hereinafter referred to as the corporation) and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Pub. L. 85-870, § 1, Sept. 2, 1958, 72 Stat. 1691.)

References in Text

"Herein", referred to in text, means Pub. L. 85-870, Sept. 2, 1958, 72 Stat. 1691, which enacted this chapter. For complete classification of this Act to the Code, see Tables volume.

§ 882. Omitted

Codification

Section, Pub. L. 85-870, § 2, Sept. 2, 1958, 72 Stat. 1691, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 883. Purposes of corporation

The purposes of the corporation shall be to aid and assist boys throughout the United States of America and Canada in the solution of their social and economic problems, and assist in their health, educational and character development; to promote the use of the techniques of such assistance developed by the corporation, by other lay and professional agencies and workers, to receive, invest, and disburse funds and to hold property for the purposes of the corporation.

(Pub. L. 85-870, § 3, Sept. 2, 1958, 72 Stat. 1691.)

§ 884. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain, and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws.

(Pub. L. 85-870, § 4, Sept. 2, 1958, 72 Stat. 1691.)

§ 885. Principal office; scope of activities; resident agent

(a) The principal office of the corporation shall be located in Philadelphia, Pennsylvania, or in such other place as may be later determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, Territories, and possessions of the United States and in Canada to the extent permitted by Canadian laws.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Pub. L. 85-870, § 5, Sept. 2, 1958, 72 Stat. 1692.)

§ 886. Membership; voting rights

Eligibility for membership in the corporation and the rights, privileges, and designations of classes of members shall, except as provided in this chapter, be determined as the constitution and bylaws of the corporation may provide. Each member of the corporation shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

(Pub. L. 85-870, § 6, Sept. 2, 1958, 72 Stat. 1692.)

§ 887. Governing body

(a) Composition

Upon the enactment of this chapter the membership of the initial board of directors of the corporation shall consist of the present members of the board of directors of the Big Brothers of America, Incorporated, the corporation described in section 896 of this title, or such of them as may then be living and are qualified members of said board of directors, to wit:

Justice Tom Clark, Washington, D.C. (honorary);
Honorable Stuart Garson, Ottawa, Ontario, Canada (honorary);
Honorable Luther W. Youngdahl, Washington, District of Columbia (honorary);
Charles G. Berwind, Philadelphia, Pennsylvania;
Henry J. Benisch, Brooklyn, New York;
DeVere Bobier, Flint, Michigan;
J. Carroll Brown, Lansing, Michigan;
Fielding T. Childress, Saint Louis, Missouri;
Guy de Puyjalon, Ottawa, Ontario, Canada;
Robert E. Curry, New York City, New York;
Jere Gillette, Detroit, Michigan;
Benjamin van D. Hedges, New York City, New York;
Honorable Thomas C. Hennings, Junior, Washington, District of Columbia;
Doctor Kenneth D. Johnson, New York City, New York;
Charles B. Levinson, Cincinnati, Ohio;
Walter H. Levy, Providence, Rhode Island;
Richard Loud, Boston, Massachusetts;
George O. Ludcke, Junior, Minneapolis, Minnesota;
Charles E. McMartin, Saginaw, Michigan;
John McShain, Philadelphia, Pennsylvania;
John E. Mangrum, Dallas, Texas;
George Miller, Los Angeles, California;
Nicholas C. Mueller, Baltimore, Maryland;
Herbert Myerberg, Baltimore, Maryland;
Thomas J. Potts, Columbus, Ohio;
Norfleet H. Rand, Saint Louis, Missouri;
G. Ruhland Rebmann, Junior, Philadelphia, Pennsylvania;
James B. Reese, Los Angeles, California;
Sanford Reider, Cleveland, Ohio;
Thomas A. Rogers, Denver, Colorado;
Robert N. Rosenthal, Cincinnati, Ohio;
Canon John Samuel, Hamilton, Ontario, Canada;
Maurice Schwarz, Junior, Los Angeles, California;
Isadore M. Scott, Philadelphia, Pennsylvania;
Milton Seaman, New York City, New York;
Nathaniel Sharf, Boston, Massachusetts;
Jay C. Standish, Cleveland, Ohio;
Donald W. Thornburgh, Philadelphia, Pennsylvania;
Robert L. Walston, Houston, Texas;
J. Austin White, Cincinnati, Ohio;
Meredith Willson, Los Angeles, California;
Paul Wilson, Detroit, Michigan; and
E. N. Zeigler, Florence, South Carolina.

(b) Tenure

Thereafter the board of directors of the corporation shall consist of such number as may be prescribed in the constitution of the corporation, and the members of such board shall be selected in such manner (including the filling of vacancies), and shall serve for such terms, as may be prescribed in the constitution and bylaws of the corporation.

(c) Duties

The board of directors shall be the managing body of the corporation and shall have such powers, duties, and responsibilities as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 85-870, § 7, Sept. 2, 1958, 72 Stat. 1692.)

REFERENCES IN TEXT

"Upon the enactment of this chapter" referred to in subsec. (a), means upon the enactment of Pub. L. 85-870, which was enacted on Sept. 2, 1958.

§ 888. Officers of corporation; election; tenure; duties

(a) The officers of the corporation shall be a chairman of the board of directors, a president, one or more vice presidents (as may be prescribed in the constitution and bylaws of the corporation), a secretary, and a treasurer.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 85-870, § 8, Sept. 2, 1958, 72 Stat. 1693.)

§ 889. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members, directors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan or advance to an officer, director, or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 85-870, § 9, Sept. 2, 1958, 72 Stat. 1693.)

§ 890. Nonpolitical nature of corporation

The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Pub. L. 85-870, § 10, Sept. 2, 1958, 72 Stat. 1694.)

§ 891. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 85-870, § 11, Sept. 2, 1958, 72 Stat. 1694.)

§ 892. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Pub. L. 85-870, § 12, Sept. 2, 1958, 72 Stat. 1694.)

§ 893. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

(Pub. L. 85-870, § 13, Sept. 2, 1958, 72 Stat. 1694.)

§ 894. Repealed. Pub. L. 88-504, § 4(31), Aug. 30, 1964, 78 Stat. 637

Section, Pub. L. 85-870, § 14, Sept. 2, 1958, 72 Stat. 1694, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 895. Exclusive right to name, emblems, seals, and badges

The corporation and its subordinate divisions shall have the sole and exclusive right to use the name, The Big Brothers of America. The corporation shall have the exclusive and sole right to use or to allow or refuse the use of such emblems, seals, and badges as have heretofore been used by the predecessor New York corporation, Big Brothers of America, Incorporated, described in section 896 of this title and the right to which may be transferred to the corporation.

(Pub. L. 85-870, § 15, Sept. 2, 1958, 72 Stat. 1694.)

REFERENCES IN TEXT

Section 896 of this title, referred to in text, in the original read "section 16 of this title" and has been translated as section 896 of this title as the probable intent of Congress.

Section 896 of this title has been omitted from the Code as executed.

§ 896. Omitted

CODIFICATION

Section, Pub. L. 85-870, § 16, Sept. 2, 1958, 72 Stat. 1695, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of New York and known as the Big Brothers of America, Inc., was omitted from the Code as executed.

§ 897. Use of assets upon dissolution or liquidation

Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

(Pub. L. 85-870, § 17, Sept. 2, 1958, 72 Stat. 1695.)

§ 898. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 85-870, § 18, Sept. 2, 1958, 72 Stat. 1695.)

CHAPTER 37—JEWISH WAR VETERANS, U.S.A., NATIONAL MEMORIAL, INC.

Sec.
911. Corporation created.
912. Omitted.
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914. Powers of corporation.
915. Principal office; scope of activities; resident agent.
916. Governing body.
  (a) Composition.
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918. Distribution of income or assets to members; loans.
919. Nonpolitical nature of corporation.
920. Liability for acts of officers and agents.
921. Prohibition against issuance of stock or payment of dividends.
922. Books and records; inspection.
923. Repealed.
924. Use of assets upon dissolution or liquidation.
925. Omitted.
926. Reservation of right to amend or repeal chapter.

§ 911. Corporation created

The following named persons, to wit: Ben Kaufman, Trenton, New Jersey; William Berman, Westbrook, Maine; Joseph Gilman, Manchester, New Hampshire; Captain Louis H. Albrand, Burlington, Vermont; Mrs. Ethel Cohen, Providence, Rhode Island; Paul J. Robin, Providence, Rhode Island; Frederick S.

Harris, Meriden, Connecticut; Edward Lettick, New Haven, Connecticut; William Carmen, Brookline, Massachusetts; David Lasker, Boston, Massachusetts; Mrs. Sarah Stone, Brighton, Massachusetts; Harry D. Henshel, New York, New York; Captain Joshua Goldberg, New York, New York; Sol Masch, New York, New York; Sam Slutsky, Peekskill, New York; I. T. Rockman, Harrisburg, Pennsylvania; Harry H. Schaffer, Pittsburgh, Pennsylvania; Doctor David Coyne, Hoboken, New Jersey; Edward Nappen, Atlantic City, New Jersey; Howard M. Berg, Wilmington, Delaware; Samuel Michaelson, Baltimore, Maryland; Louis E. Spiegler, Washington, District of Columbia; Joseph F. Barr, Washington, District of Columbia; Joseph A. Reshefsky, Portsmouth, Virginia; Edward Leyton, High Point, North Carolina; Doctor Harry Appel, Charleston, South Carolina; Harry Harrison, Atlanta, Georgia; Paul Ginsberg, Atlanta, Georgia; Harry Cohen, Miami Beach, Florida; Louis B. Lepp, Birmingham, Alabama; Edwin I. Baer, Louisville, Kentucky; Doctor Yale Burke, South Bend, Indiana; Harry T. Madison, Oak Park, Michigan; William Bobier, Phoenix, Arizona; Samuel Shaikewitz, St. Louis, Missouri; Major General Julius Klein, Chicago, Illinois; Nathan Rakita, Milwaukee, Wisconsin; Myer Dorfman, St. Paul, Minnesota; Hyman Greenspan, Dallas, Texas; Harold Freeman, Phoenix, Arizona; Harry Pells, Denver, Colorado; Hy Weitzman, San Bernardino, California; Don Kapner, Seattle, Washington; Sherman Z. Lipstein, Omaha, Nebraska; William Stern, Fargo, North Dakota; and their successors, are hereby created and declared to be a nonprofit body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Jewish War Veterans, U.S.A., National Memorial, Incorporated (hereinafter referred to as the "corporation"), and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Pub. L. 85-903, § 1, Sept. 2, 1958, 72 Stat. 1738.)

REFERENCES IN TEXT

"Herein", referred to in text, means Pub. L. 85-903, Sept. 2, 1958, 72 Stat. 1738, which enacted this chapter. For complete classification of this Act to the Code, see Tables volume.

§ 912. Omitted

CODIFICATION

Section, Pub. L. 85-903, § 2, Sept. 2, 1958, 72 Stat. 1738, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 913. Principles and objects of corporation

The principles and objects of the corporation shall be—

(a) to maintain and conduct a national memorial and museum dedicated to and commemorating the service and sacrifice in the Armed Forces of the United States during the period of war by Americans of the Jewish faith;

(b) to gather, collate, edit, publish, and exhibit the memorabilia, data, records, military awards, decorations, citations, and so forth, for the purpose of preserving the memories and records of patriotic service performed by men and women of the Jewish faith while in the armed services of the United States in time of war; and

(c) to stimulate patriotism in the minds of all Americans by encouraging the study of the military and naval history of our Nation.

(Pub. L. 85-903, § 3, Sept. 2, 1958, 72 Stat. 1738.)

§ 914. Powers of corporation

The corporation shall have power—

(a) to have succession by its corporate name;

(b) to sue and be sued, complain and defend in any court of competent jurisdiction;

(c) to adopt, use, and alter a corporate seal;

(d) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States, for the management of its property and the regulation of its affairs; said constitution and bylaws should likewise not be inconsistent with the laws of any State in which the corporation is to operate;

(e) to contract and be contracted with;

(f) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual, and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(g) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property; and

(h) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws.

(Pub. L. 85-903, § 4, Sept. 2, 1958, 72 Stat. 1739.)

§ 915. Principal office; scope of activities; resident agent

(a) The principal office of the corporation shall be located in Washington, District of Columbia, but the activities of the corporation shall not be confined to that place and may be conducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall at all times maintain in its headquarters in the District of Columbia a designated agent to accept service of process for the corporation and notice to or service upon such agent, or mailed to the headquarters of the organization in the said District of Columbia shall be deemed notice or service upon the said corporation.

(Pub. L. 85-903, § 5, Sept. 2, 1958, 72 Stat. 1739.)

§ 916. Governing body

(a) Composition

Upon the enactment of this chapter, the initial board of directors of the corporation shall consist of the present officers and members of the board of directors of the existing corporation, entitled "Jewish War Veterans U.S.A., National Memorial, Incorporated", an organization incorporated under the laws of the District of Columbia.

(b) Tenure

Thereafter, the board of directors of the corporation shall be of such number (not less than thirty-six) who shall be selected in such manner, including the filling of vacancies and serve such terms as shall be prescribed under the constitution and bylaws of the corporation.

(c) Duties

The board of directors shall be the governing board of the corporation and shall, during the intervals between corporation meetings, be responsible for the general policies and program of the corporation. The board shall be responsible for all finances of the corporation.

(Pub. L. 85-903, § 6, Sept. 2, 1958, 72 Stat. 1739.)

REFERENCES IN TEXT

"Upon the enactment of this chapter" referred to in subsec. (a), means upon the enactment of Pub. L. 85-903, which was enacted Sept. 2, 1958.

§ 917. Officers of corporation; election; tenure; duties

(a) The officers of the corporation shall be a president and such number of vice presidents as shall be provided for in the constitution and bylaws, as well as a secretary and treasurer.

(b) The officers of the corporation shall be elected in such manner and for such terms as well as with such duties as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 85-903, § 7, Sept. 2, 1958, 72 Stat. 1740.)

§ 918. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any officer or director or be distributable to any such person. Nothing in this section, however, shall be construed to prevent the payment of compensation to the officers or employees of the corporation in amounts approved by the executive committee of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation, and any officer who participates in the making of such loan, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 85-903, § 8, Sept. 2, 1958, 72 Stat. 1740.)

§ 919. Nonpolitical nature of corporation

The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Pub. L. 85-903, § 9, Sept. 2, 1958, 72 Stat. 1740.)

§ 920. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 85-903, § 10, Sept. 2, 1958, 72 Stat. 1740.)

§ 921. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Pub. L. 85-903, § 11, Sept. 2, 1958, 72 Stat. 1740.)

§ 922. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

(Pub. L. 85-903, § 12, Sept. 2, 1958, 72 Stat. 1740.)

§ 923. Repealed. Pub. L. 88-504, § 4(32), Aug. 30, 1964, 78 Stat. 637

Section, Pub. L. 85-903, § 13, Sept. 2, 1958, 72 Stat. 1741, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 924. Use of assets upon dissolution or liquidation

Upon final dissolution or liquidation of the corporation, and after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto. Nothing in this section shall be construed so as to permit any such assets being distributed to any officer or employee or inuring to the benefit of any private person.

(Pub. L. 85-903, § 14, Sept. 2, 1958, 72 Stat. 1741.)

§ 925. Omitted

CODIFICATION

Section, Pub. L. 85-903, § 15, Sept. 2, 1958, 72 Stat. 1741, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the District of Columbia and known as the Jewish War Veterans, U.S.A., National Memorial, Incorporated, was omitted from the Code as executed.

§ 926. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 85-903, § 16, Sept. 2, 1958, 72 Stat. 1741.)

CHAPTER 38—BLUE STAR MOTHERS OF AMERICA

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941. Corporation created.
942. Omitted.
943. Purposes of corporation.
944. Powers of corporation.
945. Membership; "armed forces" defined.
946. Governing body; composition; meetings.
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948. Principal office; resident agent.
949. Distribution of income or assets to members; loans.
950. Nonpolitical nature of corporation.
951. Liability for acts of officers and agents.
952. Prohibition against issuance of stock or payment of dividends.
953. Books and records; inspection.
954. Repealed.
955. Report to Congress on activities.
956. Exclusive right to name, emblems, seals, and badges.
957. Use of assets on dissolution or liquidation.
958. Reservation of right to amend or repeal chapter.

§ 941. Corporation created

The following named persons, to wit: Ann Clumfoot, Port Huron, Michigan; Audree Jonechat, Covina, California; Nettie Ludwig, Milwaukee, Wisconsin; Esther Beer, Mansfield, Ohio; Evelyn Lauritson, Cedar Falls, Iowa; Ethel Stevenson, Fresh Meadows, New York; Etta Drayton, Flint, Michigan; Evelyn Bednar, Milwaukee, Wisconsin; Edna Crorey, Grants Pass, Oregon; Erma Sweeney, Long Beach, California; Josephine Plant, Waterloo, Iowa; Dorothy Christensen, Flint, Michigan; Mary Tracey, Brooklyn, New York; LaVina Shope, Lima, Ohio; Olga Barnes, Roseburg, Oregon; Levia Jamison, Jamestown, Pennsylvania; Jean Williams, Port Orchard, Washington; Ida Alford, Little Rock, Arkansas; Edna May Standing, Orange City, Florida; Charlotte Cobb, Chatham, Massachusetts; Ann Sine Gale, Milwaukee, Wisconsin; Ann F. Fetting, Smiths Creek, Michigan; Irene Uhl, Rosemead, California; Hazel Rue Scott, Arlington, Virginia; Louise Meyerhoff, Queens Village, New York; Ivah Jones, Long Beach, California; Florence Brown, Pontiac, Michigan; Erma Hoffman, Columbus, Ohio; Nellie Leonhardt, Detroit, Michigan; and all past national presidents, and their successors, retiring or leaving their office in good standing, are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Blue Star Mothers of America, Inc. (hereinafter referred to as the corporation), and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Pub. L. 86-653, § 1, July 14, 1960, 74 Stat. 515.)

REFERENCES IN TEXT

"Herein", referred to in text, means Pub. L. 86-653, July 14, 1960, 74 Stat. 515, which enacted this chapter. For complete classification of this Act to the Code, see Tables volume.

CODIFICATION

A provision requiring the persons named in this section to file a copy of this chapter with the Superintendent of Corporations of the District of Columbia within fifteen days after July 14, 1960, has been omitted from the Code as executed.

§ 942. Omitted

CODIFICATION

Section, Pub. L. 86-653, § 2, July 14, 1960, 74 Stat. 515, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 943. Purposes of corporation

The purposes of the corporation shall be: To perpetuate the Blue Star Mothers of America, Inc., and the memory of all the men and women who have served our country as members of the Armed Forces; the further object of this organization shall be patriotic, educational, social, and for service; to maintain true allegiance to the Government of the United States; to educate our members and others not to divulge military, naval, or other Government information; to assist in veterans' ceremonies, to attend patriotic rallies and meetings; to foster true democracy; to care for the unsupported mothers who gave their sons to the service of the Nation; to aid in bringing about recognition of the need of permanent civilian defense for each community and to ever be alert against invasion of un-American activities; to uphold the American institutions of freedom, justice, and equal rights, and to defend the United States from all enemies.

(Pub. L. 86-653, § 3, July 14, 1960, 74 Stat. 515.)

§ 944. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the activities of the corporation may require;

(5) to adopt, amend and alter a constitution and bylaws; not inconsistent with the laws of the United States or of any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any public body or agency or any private corporation, association, partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount of or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, mortgage, encumber and otherwise alienate real, personal, or mixed property; and

(9) to borrow money for the purpose of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all appli-

cable provisions of Federal and State laws; and

(10) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

(Pub. L. 86-653, § 4, July 14, 1960, 74 Stat. 516.)

§ 945. Membership; "armed forces" defined

Eligibility: A mother, adopted mother, or stepmother (a stepmother eligible for membership in the Blue Star Mothers of America, Inc., can claim that eligibility only if she has given a mother's care to the stepchild from the age of thirteen or under), living in the United States, of a son or daughter serving in the Armed Forces of the United States, or having a son or daughter who has served, or has been honorably discharged from the Armed Forces of the United States in World War II or the Korean hostilities. The term "Armed Forces" shall include the United States Army; United States Navy; United States Marines; United States Air Force; United States Coast Guard; National Guard; United States Army Reserves; United States Navy Reserves; United States Marine Reserves; United States Air Force Reserves; United States Coast Guard Reserves; United States Naval Militia; merchant marines; and the armed home guards who have served on active duty.

(Pub. L. 86-653, § 5, July 14, 1960, 74 Stat. 516.)

§ 946. Governing body; composition; meetings

The supreme governing authority of the corporation shall be the national convention thereof, composed of such officers and elected representatives from the several States and other local subdivisions of the corporate organization as shall be provided by the constitution and bylaws: *Provided*, That the form of the government of the corporation shall always be representative of the membership at large and shall not permit the concentration of control thereof in the hands of a limited number of members or in a self-perpetuating group not so representative. The meetings of the national convention may be held in any State or Territory or in the District of Columbia.

(Pub. L. 86-653, § 6, July 14, 1960, 74 Stat. 516.)

§ 947. Officers of corporation; selection; tenure; duties

The officers of the corporation shall be selected in such manner and for such terms and with such duties and titles as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 86-653, § 7, July 14, 1960, 74 Stat. 517.)

§ 948. Principal office; resident agent

The principal office of the corporation shall be located in the District of Columbia and shall have in the District of Columbia at all times a designated agent authorized to accept service of process, notice, or demand for the corporation, and service of such process, notice, or demand required or permitted by law to be served upon the corporation may be served upon such agent. The corporation shall file with the Superintendent of Corporations of the District of Columbia a statement designating the initial and each successor registered agent of the corporation and the initial and each successor registered office of the corporation immediately following any such designation. As used in this chapter the term "Superintendent of Corporations of the District of Columbia" means the Mayor of the District of Columbia or any agent designated by him to perform the functions vested by this chapter in the Superintendent of Corporations.

(Pub. L. 86-653, § 8, July 14, 1960, 74 Stat. 517; 1967 Reorg. Plan No. 3, § 401, eff. Aug. 11, 1967, 32 F.R. 11669, 81 Stat. 951; Pub. L. 93-198, title IV, § 421, Dec. 24, 1973, 87 Stat. 789.)

TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3 of 1967, eff. Aug. 11, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, all functions of the Board of Commissioners of the District of Columbia were transferred to the Commissioner of the District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. The office of Commissioner of the District of Columbia, as established by Reorg. Plan No. 3 of 1967, was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by the office of Mayor of the District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-161 of the District of Columbia Code. Accordingly, "Mayor" was substituted for "commissioners" and "him" for "them".

§ 949. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the council of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the council of administration who votes for or assents to the making of a loan or advance to any officer or employee of the corporation, and any officer who participates in the making of such loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 86-653, § 9, July 14, 1960, 74 Stat. 517.)

§ 950. Nonpolitical nature of corporation

The corporation and its officers and agents as such shall not contribute to any political party or candidate for public office.

(Pub. L. 86-653, § 10, July 14, 1960, 74 Stat. 517.)

§ 951. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 86-653, § 11, July 14, 1960, 74 Stat. 517.)

§ 952. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Pub. L. 86-653, § 12, July 14, 1960, 74 Stat. 517.)

§ 953. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national conventions and council of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose, at any reasonable time.

(Pub. L. 86-653, § 13, July 14, 1960, 74 Stat. 518.)

§ 954. Repealed. Pub. L. 88-504, § 4(33), Aug. 30, 1964, 78 Stat. 637

Section, Pub. L. 86-653, § 14, July 14, 1960, 74 Stat. 518, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 955. Report to Congress on activities

On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year. Such report shall not be printed as a public document.

(Pub. L. 86-653, § 15, July 14, 1960, 74 Stat. 518.)

§ 956. Exclusive right to name, emblems, seals, and badges

The corporation and its subordinate divisions shall have the sole and exclusive right to use the name, "Blue Star Mothers of America, Inc.", and no other organization shall use the name "Blue Star Mothers of America, Inc.". The corporation shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as have heretofore been used by the Blue Star Mothers of America.

(Pub. L. 86-653, § 16, July 14, 1960, 74 Stat. 518.)

§ 957. Use of assets on dissolution or liquidation

Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the national executive board and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

(Pub. L. 86-653, § 17, July 14, 1960, 74 Stat. 518.)

§ 958. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 86-653, § 18, July 14, 1960, 74 Stat. 518.)

CHAPTER 39—AGRICULTURAL HALL OF FAME

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971. Corporation created.
972. Omitted.
973. Purposes of corporation.
974. Powers of corporation.
975. Principal office; scope of activities; resident agent.
976. Membership; voting rights.
977. Governing body.
  (a) Composition.
  (b) Tenure.
  (c) Duties.
978. Officers of corporation; election; tenure; duties.
979. Distribution of income or assets to members; loans.
980. Nonpolitical nature of corporation.
981. Liability for acts of officers and agents.
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983. Books and records; inspection.
984. Repealed.
985. Use of assets upon dissolution or liquidation.
986. Duration of corporation.
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988. Reservation of right to amend or repeal chapter

§ 971. Corporation created

The following persons: K. S. Adams, Bartlesville, Oklahoma; Evelyn H. Alden, Wellsville, Kansas; Ray N. Ammon, Saint Joseph, Missouri; Clinton P. Anderson, Albuquerque, New Mexico; Charles Baker, Walla Walla, Washington; L. Y. Ballentine, Raleigh, North Carolina; Harry J. Beernink, Seattle, Washington; Charles Dana Bennett, Washington, District of Columbia; Ezra Taft Benson, Washington, District of Columbia; Charles F. Brannan, Denver, Colorado; D. W. Brooks, Atlanta, Georgia; John T. Brown, Racine, Wisconsin; John M. Budd, Saint Paul, Minnesota; George S. Bulkley, Los Angeles, California; Lee M. Burge, Reno, Nevada; Frank Carlson, Concordia, Kansas; Edward D. Carpenter, Cassville, Wisconsin; Richard O. Comfort, New York, New York; Harold D. Cooley, Nashville, North Carolina; Howard A. Cowden, Kansas City, Missouri; Lester Cox, Springfield, Missouri; Harry Darby, Kansas City, Kansas; A. F. Davis, Cleveland, Ohio; Chester Davis, San Marino, California; Clark W. Davis, Wilmington, Delaware; Gladys L. Dawes, Colby, Kansas; D. Howard Doane, McCredie, Missouri; Cyrus Eaton, Cleveland, Ohio; Clyde T. Ellis, Washington, District of Columbia; Victor Emanuel, New York, New York; Sterling Evans, Houston, Texas; E. H. Fallon, Ithaca, New York; James C. Farmer, Keene, New Hampshire; John D. Fehsenfeld, Troy, Missouri; Willard M. Fifield, Gainseville, Florida; Charles Figy, Washington, District of Columbia; Nolen J. Fuqua, Duncan, Oklahoma; Paul Gray, Washington, District of Columbia; F. V. Heinkel, Columbia, Missouri; Roy F. Hendrickson, Washington, District of Columbia; W. L. Henning, Harrisburg, Pennsylvania; Icie D. Hiatt, Bethany, Missouri; Merritt D. Hill, Birmingham, Michigan; William S. Hill, Fort Collins, Colorado; Harold Hogue, Dalhart, Texas; Clifford R. Hope, Garden City, Kansas; Chester C. Housh, Elkton, Virginia; Edgar Hovey, Badger, Iowa; Frank W. Hussey, Presque Isle, Maine; James R. Isleib, Prairie Village, Kansas; Lyman E. Jackson, University Park, Pennsylvania; Dorsey Kirk, Oblong, Illinois; Alf M.

Landon, Topeka, Kansas; J. D. Lawrence, Columbia, South Carolina; L. G. Ligutti, Des Moines, Iowa; J. H. Longwell, Columbia, Missouri; Charles Marshall, Lincoln, Nebraska; James McGuire, Topeka, Kansas; Wheeler McMillen, Philadelphia, Pennsylvania; George S. McIntyre, Lansing, Michigan;. Bob Miller, Cincinnati, Ohio; E. W. Mueller, Chicago, Illinois; Carl F. Newman, Chicago, Illinois; Herschel D. Newsom, Washington, District of Columbia; E. M. Norton, Washington, District of Columbia; James G. Patton, Denver, Colorado; J. C. Penney, New York, New York; Clarence Poe, Raleigh, North Carolina; J. Stuart Russell, Des Moines, Iowa; Ruth Buxton Sayre, Ackworth, Iowa; Paul F. Sharp, Berkeley, California; Frank M. Shay, San Jose, California; Charles B. Shuman, Chicago, Illinois; Virginia Smith, Chappell, Nebraska; W. T. Spanton, Washington, District of Columbia; J. K. Stern, Washington, District of Columbia; Paul Swaffar, Kansas City, Missouri; Ben Swigart, Mooreland, Oklahoma; Jesse W. Tapp, Los Angeles, California; Ray Teagarden, La Cygne, Kansas; M. W. Thatcher, St. Paul, Minnesota; R. B. Tootell, Washington, District of Columbia; Harry S. Truman, Independence, Missouri; Rod Turnbull, Kansas City, Missouri; Herbert W. Voorhees, Trenton, New Jersey; Jerry Voorhis, Chicago, Illinois; Orville F. Walker, Kalkaska, Michigan; James Wall, Waverly, Nebraska; Henry A. Wallace, South Salem, New York; Claude R. Wickard, Camden, Indiana; Oliver S. Willham, Stillwater, Oklahoma; D. A. Williams, St. Paul, Minnesota; Robert E. Wood, Chicago, Illinois; Obed Wyum, Rutland, North Dakota; O. E. Zacharias, Junior, Richmond, Virginia; and their associates and successors, are hereby created and declared to be a body corporate by the name of the Agricultural Hall of Fame (hereinafter referred to as the "corporation") and by such name shall be known and have perpetual succession and the powers, limitations and restrictions herein contained.

(Pub. L. 86-680, § 1, Aug. 31, 1960, 74 Stat. 572.)

REFERENCES IN TEXT

"Herein", referred to in text, means Pub. L. 86-680, Aug. 31, 1960, 74 Stat. 572, which enacted this chapter. For complete classification of this Act to the Code, see Tables volume.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 977 of this title.

§ 972. Omitted

CODIFICATION

Section, Pub. L. 86-680, § 2, Aug. 31, 1960, 74 Stat. 573, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 973. Purposes of corporation

The purposes of the corporation shall be:

(A) To receive and maintain a fund or funds, and to use and apply the whole or any part of the income therefrom, and the principal thereof, exclusively for charitable, scientific, literary, or educational purposes either directly or by contributions to organizations duly authorized to carry on similar activities: *Provided, however,* That no part of such income or principal shall be contributed to any organization whose net earnings or any part thereof inure to the benefit of any private shareholder or individual, or any substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation. The detailed purposes hereinafter set forth shall at all times be subject to and in furtherance of the provisions contained in this paragraph.

(B) To honor farmers, farm women, farm leaders, teachers, scientists, inventors, governmental leaders and other individuals who have helped make this Nation great by their outstanding contributions to the establishment, development, advancement or improvement of agriculture in the United States of America.

(C) To perpetuate the memory of such persons and record their contributions and achievements by the erection and maintenance of such buildings, monuments, and edifices as may be deemed appropriate as a lasting memorial.

(D) To foster, promote, and encourage a greater sense of appreciation of the dignity and importance of agriculture, historically carried out through owner-operated farms, and the part it has played in developing those social, economic, and spiritual values which are essential in maintaining the free and democratic institutions of our Republic.

(E) To establish and maintain a library and museum for the collection and preservation for posterity of agricultural tools, implements, machines, vehicles, pictures, paintings, books, papers, documents, data, relics, mementos, artifacts, and other items and things relating to agriculture.

(F) To cooperate with other organizations which are interested in similar projects.

(G) To engage in any and all activities incidental thereto or necessary, suitable, or proper for the accomplishment of any of the aforementioned purposes.

(Pub. L. 86-680, § 3, Aug. 31, 1960, 74 Stat. 573.)

§ 974. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(5) to adopt, amend, and alter bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limit-

ing or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise, subject in every case to all applicable provisions of Federal and State laws.

(Pub. L. 86-680, § 4, Aug. 31, 1960, 74 Stat. 574.)

§ 975. Principal office; scope of activities; resident agent

(a) The principal office of the corporation shall be located in Kansas City, Kansas, or in such other place as may be later determined by the board of governors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, Territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent shall be deemed notice to or service upon the corporation.

(Pub. L. 86-680, § 5, Aug. 31, 1960, 74 Stat. 574.)

§ 976. Membership; voting rights

(a) Eligibility for membership in the corporation and the rights, privileges and designation of classes of members shall, except as provided in this chapter, be determined as the bylaws of the corporation may provide.

(b) Each member of the corporation given voting rights by the bylaws shall have the right to one vote on each matter submitted to a vote at all meetings of the voting members of the corporation, which vote may be cast in such manner as the bylaws may prescribe.

(Pub. L. 86-680, § 6, Aug. 31, 1960, 74 Stat. 575.)

§ 977. Governing body

(a) Composition

Upon the enactment of this chapter the membership of the initial board of governors of the corporation shall consist of the persons named in section 971 of this title, their survivors and such additional persons, if any, as shall be named by them.

(b) Tenure

Thereafter, the board of governors of the corporation shall consist of such number (not less than fifteen), shall be selected in such manner (including the filling of vacancies), and shall serve for such term as may be provided in the bylaws of the corporation.

(c) Duties

The board of governors shall be the governing body of the corporation and, during the intervals between the meetings of members, shall be responsible for the general policies and program of the corporation and for the control of all funds of the corporation. The board of governors may appoint committees which shall have and exercise such powers as may be prescribed in the bylaws or by resolution of the board of governors, and which may be all of the powers of the board of governors.

(Pub. L. 86-680, § 7, Aug. 31, 1960, 74 Stat. 575.)

§ 978. Officers of corporation; election; tenure; duties

(a) The officers of the corporation shall be a president, one or more vice presidents (as may be prescribed in the bylaws of the corporation), a secretary, a treasurer, one or more assistant secretaries and assistant treasurers, and such other officers as may be provided in the bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the bylaws of the corporation.

(Pub. L. 86-680, § 8, Aug. 31, 1960, 74 Stat. 575.)

§ 979. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members, governors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers and employees of the corporation in amounts approved by the board of governors of the corporation.

(b) The corporation shall not make loans to its members, governors, officers, or employees. Any governor who votes for or assents to the making of a loan or advance to a member, officer, governor or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 86-680, § 9, Aug. 31, 1960, 74 Stat. 575.)

§ 980. Nonpolitical nature of corporation

The corporation and its members, governors, officers, and employees as such shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Pub. L. 86-680, § 10, Aug. 31, 1960, 74 Stat. 576.)

§ 981. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 86-680, § 11, Aug. 31, 1960, 74 Stat. 576.)

§ 982. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Pub. L. 86-680, § 12, Aug. 31, 1960, 74 Stat. 576.)

§ 983. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of governors, and committees having any of the authority of the board of governors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

(Pub. L. 86-680, § 13, Aug. 31, 1960, 74 Stat. 576.)

§ 984. Repealed. Pub. L. 88-504, § 4(34), Aug. 30, 1964, 78 Stat. 637

Section, Pub. L. 86-680, § 14, Aug. 31, 1960, 74 Stat. 576, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 985. Use of assets upon dissolution or liquidation

Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of governors of the corporation and in compliance with the charter and bylaws of the corporation and all Federal and State laws applicable thereto.

(Pub. L. 86-680, § 15, Aug. 31, 1960, 74 Stat. 577.)

§ 986. Duration of corporation

The duration of the corporation shall be perpetual.

(Pub. L. 86-680, § 16, Aug. 31, 1960, 74 Stat. 577.)

§ 987. Omitted

CODIFICATION

Section, Pub. L. 86-680, § 17, Aug. 31, 1960, 74 Stat. 577, which authorized the corporation to acquire the assets and liabilities of the general not-for-profit corporation organized under the laws of the State of Missouri and known as the Agricultural Hall of Fame, was omitted from the Code as executed.

§ 988. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 86-680, § 18, Aug. 31, 1960, 74 Stat. 577.)

CHAPTER 40—NATIONAL WOMAN'S RELIEF CORPS, AUXILIARY TO THE GRAND ARMY OF THE REPUBLIC

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1006. Governing body.
1007. Governing board.
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1009. Principal office; scope of activities; resident agent.
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1013. Prohibition against issuance of stock or payment of dividends.
1014. Books and records; inspection.
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1016. Report to Congress of activities.
1017. Exclusive right to name, emblems, seals, and badges.
1018. Omitted.
1019. Use of assets upon dissolution or liquidation.
1020. Reservation of right to amend or repeal chapter.

§ 1001. Corporation created

The following persons, to wit:

President: Mabel R. Ginder, Toledo, Ohio;

Senior vice president: Jessie Johnston, Cheyenne, Wyoming;

Junior vice president: Irene Randolph, Minneapolis, Minnesota;

Secretary: Bessie K. Coughlin, Providence, Rhode Island;

Treasurer: Ocie M. Tumey, Springfield, Illinois, executive officers;

Legislative committee: Laura I. Smith, chairman, 16 Temple Street, Providence, Rhode Island; Ethel Ferris Hasenbuhler, Washington, District of Columbia; and Marie Morgan, Indianapolis, Indiana;

Past national presidents: Cora M. Davis, Nehalem, Oregon; Catherine McBride Hoster, Indianapolis, Indiana; Annie Poole Atwood, Wollaston, Massachusetts; Beatrice J. Tyson, DeBary, Florida; Lizetta Coady, Detroit, Michigan; Mary J. Love, Louisville, Kentucky; Ida Heacock Baker, Parsons, Kansas; Elizabeth L. Kothe, Parkersburg, Iowa; Grace Houlette Hahn, Miami, Florida; Louise Haider, Santa Barbara, California; Anne Anschutz, Saint Louis, Missouri; Laura I. Smith, Providence, Rhode Island; Alice F. Larson, Minot, North Dakota; Grayce L. Vedetta, Brooklyn, New York; Harriette G. McCollough, Des Moines, Iowa; Eula M. Nelson, Springfield, Illinois; Daisy Heinemann, Milwaukee, Wisconsin; Grace L. Johnson, Toledo, Ohio; Ruth E. Johnson, Bellflower, California; Lucille V. Rand, Worcester, Massachusetts; Gertrude M. Edwards, Iroquois, South Dakota; Bessie K. Coughlin, Providence, Rhode Island; Elizabeth Jeans, Saint Louis, Missouri; and Josephine E. Parkhurst, Pulaski, New York, and their successors, are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic (hereafter referred to as the corporation), and by such name shall be known and have perpetual succession and the powers, limitations and restrictions herein contained.

(Pub. L. 87-650, § 1, Sept. 7, 1962, 76 Stat. 502.)

REFERENCES IN TEXT

"Herein", referred to in text, means Pub. L. 87-650, Sept. 7, 1962, 76 Stat. 502, which enacted this chapter. For complete classification of this Act to the Code, see Tables volume.

CODIFICATION

A provision requiring the persons named in this section to file a copy of this chapter with the Superintendent of Corporations of the District of Columbia within fifteen days after Sept. 7, 1962, has been omitted from the Code as executed.

§ 1002. Omitted

CODIFICATION

Section, Pub. L. 87-650, § 2, Sept. 7, 1962, 76 Stat. 503, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 1003. Purposes of corporation

The purposes of the corporation shall be: To perpetuate the memory of the Grand Army of the Republic, as we the National Woman's Relief Corps are their auxiliary and were organized at their request in 1883, and of men who saved the Union in 1861 to 1865; to assist in every practicable way in the preservation and making available for research of documents and records pertaining to the Grand Army of the Republic and its members; to cooperate in doing honor to all those who have patriotically served our country in any war; to teach patriotism and the duties of citizenship, the true history of our country, and the love and honor of our flag; to oppose every tendency or movement that would weaken loyalty to, or make for the destruction or impairment of, our constitutional Union; and to inculcate and broadly sustain the American principles of representative government, of equal rights, and of impartial justice for all.

(Pub. L. 87-650, § 3, Sept. 7, 1962, 76 Stat. 503.)

§ 1004. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name,

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, as the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws; not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grants, devise, or bequest from any public body or agency or any private corporation, association, partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State, (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State; and

(8) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property.

(Pub. L. 87-650, § 4, Sept. 7, 1962, 76 Stat. 503.)

§ 1005. Membership

Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall, except as provided in this chapter, be determined as the constitution and bylaws of the corporation may provide. Eligibility for membership in the corporation shall be women, who are the wives, mothers, daughters, and sisters of Union soldiers, sailors, and marines and other loyal women, who have not given aid or comfort to the enemies of the United States of America.

(Pub. L. 87-650, § 5, Sept. 7, 1962, 76 Stat. 503.)

§ 1006. Governing body

The supreme governing authority of the corporation shall be the national convention thereof, composed of such officers and elected representatives from the several States as shall be provided by the rules and regulations: *Provided,* That the form of the government of the corporation shall always be representative of the membership at large and shall not permit the concentration of the control thereof in the hands of a limited number of members or in a self-perpetuating group not so representative. The meetings of the national convention may be held in any State or in the District of Columbia.

(Pub. L. 87-650, § 6, Sept. 7, 1962, 76 Stat. 504.)

§ 1007. Governing board

(a) Executive officers

During the intervals between the national convention the executive officers shall be the governing board of the corporation and shall be held responsible for the general policies, program, and activities of the corporation.

(b) Initial officers

Upon the enactment of this chapter the membership of the initial executive officers of the corporation shall consist of the executive officers of the National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic, the corporation described in section 1018 of this title, or such of them as may then be living and are qualified members of said executive officers, to wit: Mabel R. Ginder, Jessie Johnston, Irene Randolph, Bessie K. Coughlin, Ocie M. Tumey, Mary J. Love, Laura I. Smith, Ethel Ferris Hasenbuhler, and Marie Morgan.

(c) Council of administration

Thereafter, the council of administration of the corporation shall consist of not less than seven members elected in the manner and for the term as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 87-650, § 7, Sept. 7, 1962, 76 Stat. 504.)

REFERENCES IN TEXT

Upon the enactment of this chapter, referred to in subsec. (b), means the enactment of Pub. L. 87-650, which was enacted on Sept. 7, 1962.

Section 1018 of this title, referred to in subsec. (b), was omitted from the Code as executed.

§ 1008. Officers of corporation; election; tenure; duties

The officers of the corporation shall be a national president, senior vice national president, junior vice national president, secretary and treasurer (which latter two offices may be held by one person), and such other officers as may be prescribed in the constitution and bylaws. The officers of the corporation shall be elected in such manner and for such terms and with such duties and titles as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 87-650, § 8, Sept. 7, 1962, 76 Stat. 504.)

§ 1009. Principal office; scope of activities; resident agent

(a) The principal office of the corporation shall be located in Springfield, Illinois, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, and the District of Columbia, of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process, notice, or demand for the corporation, and service of such process, notice or demand required or permitted by law to be served upon the corporation may be served upon such agent. The corporation shall file with the Superintendent of Corporations of the District of Columbia a statement designating the initial and each successor registered agent of the corporation immediately following any such designation. As used in this chapter the term "Superintendent of Corporations of the District of Columbia" means the Mayor of the District of Columbia or any agent designated by him to perform the functions vested by this chapter in the Superintendent of Corporations.

(Pub. L. 87-650, § 9, Sept. 7, 1962, 76 Stat. 504; 1967 Reorg. Plan No. 3, § 401, eff. Aug. 11, 1967, 32 F.R. 11669, 81 Stat. 951; Pub. L. 93-198, title IV, § 421, Dec. 24, 1973, 87 Stat. 789.)

TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3 of 1967, eff. Aug. 11, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, all functions of the Board of Commissioners of the District of Columbia were transferred to the Commissioner of the District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. The office of Commissioner of the District of Columbia, as established by Reorg. Plan No. 3 of 1967, was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by the office of Mayor of the District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-161 of the District of Columbia Code. Accordingly, "Mayor" was substituted for "commissioners" and "him" for "them".

§ 1010. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributable to any of them, during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of reasonable compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the council of administration of the corporation.

(b) The corporation shall not make loans to the officers. Any member of the council of administration, who votes for or assents to the making of a loan or advance to an officer or member of the corporaion, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 87-650, § 10, Sept. 7, 1962, 76 Stat. 504.)

§ 1011. Nonpolitical nature of corporation

The corporation and its officers and agents as such shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Pub. L. 87-650, § 11, Sept. 7, 1962, 76 Stat. 505.)

§ 1012. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 87-650, § 12, Sept. 7, 1962, 76 Stat. 505.)

§ 1013. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Pub. L. 87-650, § 13, Sept. 7, 1962, 76 Stat. 505.)

§ 1014. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national convention. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose at any reasonable time.

(Pub. L. 87-650, § 14, Sept. 7, 1962, 76 Stat. 505.)

§ 1015. Repealed. Pub. L. 88-504, § 4(35), Aug. 30, 1964, 78 Stat. 638

Section, Pub. L. 87-650, § 15, Sept. 7, 1962, 76 Stat. 505, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 1016. Report to Congress of activities

Not later than six months following the close of the fiscal year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year. Such report shall not be printed as a public document.

(Pub. L. 87-650, § 16, Sept. 7, 1962, 76 Stat. 505.)

§ 1017. Exclusive right to name, emblems, seals, and badges

The corporation and its subordinate corps shall have the sole and exclusive right to use the name, the National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic.

The corporation shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as have heretofore been used by the Illinois corporation described in section 1018 of this title and the right to which may be lawfully transferred to the corporation.

(Pub. L. 87-650, § 17, Sept. 7, 1962, 76 Stat. 505.)

REFERENCES IN TEXT

Section 1018 of this title, referred to in text, has been omitted from the Code as executed.

§ 1018. Omitted

CODIFICATION

Section, Pub. L. 87-650, § 18, Sept. 7, 1962, 76 Stat. 506, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of Illinois and known as the National Women's Relief Corps, Auxiliary to the Grand Army of the Republic, was omitted from the Code as executed.

§ 1019. Use of assets upon dissolution or liquidation

Upon any dissolution or final liquidation of the corporation, its assets shall be applied and distributed as follows:

(a) All liabilities and obligations of the corporation shall be paid, satisfied, and discharged, or adequate provision shall be made therefor;

(b) Assets held by the corporation upon condition requiring return, transfer or conveyance, which condition occurs by reason of the dissolution, shall be returned, transferred or conveyed in accordance with such requirements;

(c) Assets received and held by the corporation subject to limitations permitting their use only for charitable, religious, eleemosynary, benevolent, educational, or similar purposes, but not held upon a condition requiring return, transfer or conveyance by reason of the dissolution, shall be transferred or conveyed to one or more domestic or foreign corporations, societies, or organizations engaged in activities of a charitable, religious, eleemosynary, benevolent, educational, or similar purpose, pursuant to a plan of distribution adopted as provided in this chapter.

(d) Other assets, if any, shall be distributed in accordance with the provisions of the articles of incorporation or the bylaws to the extent that the articles of incorporation or bylaws determine the distributive rights of members, or any class or classes of members, or provide for distribution to others;

(e) Any remaining assets may be distributed to such persons, societies, organizations or domestic or foreign corporations engaged in activities not for profit, as may be specified in a plan of distribution adopted by the council of administration of the corporation in compliance with the constitution and bylaws of the corporation and all Federal, State, and District of Columbia laws applicable thereto.

(Pub. L. 87-650, § 19, Sept. 7, 1962, 76 Stat. 506.)

§ 1020. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 87-650, § 20, Sept. 7, 1962, 76 Stat. 506.)

CHAPTER 41—NAVAL SEA CADET CORPS

Sec.

1041. Corporation created.
1042. Purposes of corporation.
1043. Omitted.
1044. Powers of corporation.
1045. Principal office; scope of activities; resident agent.
1046. Membership.
1047. Governing body.
  (a) Composition.
  (b) Tenure.
  (c) Duties.
1048. Officers of corporation; election; tenure; duties.
1049. Distribution of income or assets to members; loans.
1050. Nonpolitical nature of corporation.
1051. Liability for acts of officers and agents.
1052. Prohibition against issuance of stock or payment of dividends.
1053. Books and records; inspection.
1054. Repealed.
1055. Use of assets upon dissolution or liquidation.
1056. Exclusive right to name; emblem, seals, and badges.
1057. Omitted.
1058. Report to Secretary of the Navy on activities.
1059. Reservation of right to amend or repeal chapter.

§ 1041. Corporation created

The following named persons: John J. Bergen, William J. Catlett, Junior, Morgan Fitch, George Halas, John S. Leahy, Junior, and J. Paul Marshall; members of the Navy League National Sea Cadet Committee and their associates and successors, are created and declared to be a body corporate by the name of the Naval Sea Cadet Corps (hereinafter referred to as the "corporation") and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Pub. L. 87-655, § 1, Sept. 10, 1962, 76 Stat. 530.)

REFERENCES IN TEXT

"Herein", referred to in text, means Pub. L. 87-655, Sept. 10, 1962, 76 Stat. 530, which enacted this chapter. For complete classification of this Act to the Code, see Tables volume.

§ 1042. Purposes of corporation

The objects and the purposes of the corporation shall be, through organization and cooperation with the Department of the Navy, to encourage and aid American young people to develop an interest and skill in basic seamanship and in its naval adaptations, to train them in seagoing skills and to teach them patriotism, courage, self-reliance, and kindred virtues.

(Pub. L. 87-655, § 2, Sept. 10, 1962, 76 Stat. 531; Pub. L. 93-504, Nov. 29, 1974, 88 Stat. 1575.)

AMENDMENTS

1974—Pub. L. 93-504 substituted "young people" for "boys".

§ 1043. Omitted

CODIFICATION

Section, Pub. L. 87-655, § 3, Sept. 10, 1962, 76 Stat. 531, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 1044. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm or individual and to hold any property, real, personal or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal, or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise, subject in every case to all applicable provisions of Federal and State laws.

(Pub. L. 87-655, § 4, Sept. 10, 1962, 76 Stat. 531.)

§ 1045. Principal office; scope of activities; resident agent

(a) The principal office of the corporation shall be located in Tacoma, Washington, or in such other place as may be later determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, territories, and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Pub. L. 87-655, § 5, Sept. 10, 1962, 76 Stat. 531.)

§ 1046. Membership

Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall, except as provided in this chapter, be determined as the constitution and bylaws of the corporation may provide.

(Pub. L. 87-655, § 6, Sept 10, 1962, 76 Stat. 532.)

§ 1047. Governing body

(a) Composition

Upon the enactment of this chapter and for not more than one year thereafter, the membership of the initial board of directors of the corporation shall consist of the present members of the board of directors of the Sea Cadet Corps of America, the corporation described in section 1057 of this title, or such of them as may then be living and are qualified members of said board of directors, to wit: John J. Bergen, William J. Catlett, Junior, Morgan Fitch, George Halas, John S. Leahy, Junior, and J. Paull Marshall.

(b) Tenure

Thereafter, the board of directors of the corporation shall consist of such number (not less than ten and not more than twenty-five), shall be selected in such manner (including the filling of vacancies), and shall serve for such term as may be prescribed in the constitution and bylaws of the corporation.

(c) Duties

The board of directors shall be the governing board of the corporation, and shall be responsible for the general policies and program of the corporation and for the control of all funds of the corporation.

(Pub. L. 87-655, § 7, Sept. 10, 1962, 76 Stat. 532.)

REFERENCES IN TEXT

Upon the enactment of this chapter, referred to in subsec. (a), means the enactment of Pub. L. 87-655, which was enacted Sept. 10, 1962.

Section 1057 of this title, referred to in subsec. (a), has been omitted from the Code as executed.

§ 1048. Officers of corporation; election; tenure; duties

(a) The officers of the corporation shall be a president, one or more vice presidents (as may be prescribed in the constitution and bylaws of the corporation), a secretary, and a treasurer, and such other officers as may be provided in the constitution and bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 87-655, § 8, Sept. 10, 1962, 76 Stat. 532.)

§ 1049. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members, directors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan or advance to an officer, director, or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 87-655, § 9, Sept. 10, 1962, 76 Stat. 532.)

§ 1050. Nonpolitical nature of corporation

The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Pub. L. 87-655, § 10, Sept. 10, 1962, 76 Stat. 532.)

§ 1051. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 87-655, § 11, Sept. 10, 1962, 76 Stat. 533.)

§ 1052. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Pub. L. 87-655, § 12, Sept. 10, 1962, 76 Stat. 533.)

§ 1053. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

(Pub. L. 87-655, § 13, Sept. 10, 1962, 76 Stat. 533.)

§ 1054. Repealed. Pub. L. 88-504, § 4(36), Aug. 30, 1964, 78 Stat. 638

Section, Pub. L. 87-655, § 14, Sept. 10, 1962, 76 Stat. 533, related to audit of financial transactions and report of such audit to Congress and is now covered by sections 1101 to 1103 of this title.

§ 1055. Use of assets upon dissolution or liquidation

Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

(Pub. L. 87-655, § 15, Sept. 10, 1962, 76 Stat. 533.)

§ 1056. Exclusive right to name; emblem, seals, and badges

The corporation shall have the sole and exclusive right to the name "Naval Sea Cadet Corps" and to have and to use in carrying out its purposes, distinctive insignia, emblems and badges, descriptive or designating marks, and words or phrases, as may be required in the furtherance of its functions. No powers or privileges granted shall, however, interfere or conflict with established or vested rights.

(Pub. L. 87-655, § 16, Sept. 10, 1962, 76 Stat. 533.)

§ 1057. Omitted

CODIFICATION

Section, Pub. L. 87-655, § 17, Sept. 10, 1962, 76 Stat. 534, which authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of Washington and known as the Sea Cadet Corps of America, was omitted from the Code as executed.

§ 1058. Report to Secretary of the Navy on activities

The corporation shall report annually to the Secretary of the Navy concerning its proceedings and activities for the preceding calendar years. The Secretary of the Navy shall communicate to Congress the whole of such reports, or such portion thereof as he shall see fit.

(Pub. L. 87-655, § 18, Sept. 10, 1962, 76 Stat. 534.)

§ 1059. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 87-655, § 19, Sept. 10, 1962, 76 Stat. 534.)

CHAPTER 41A—LITTLE LEAGUE BASEBALL, INC.

Sec.
1071. Corporation created.
1072. Omitted.
1073. Objects and purposes of corporation.
1074. Powers of corporation.
1075. Principal office; scope of activities; resident agent.
1076. Membership; voting rights.
1077. Board of directors.
  (a) Initial board.
  (b) Composition and term.
  (c) Governing period; duties.
1078. Officers; election.
1079. Distribution of income or assets to members; loans.
1080. Nonpolitical nature of corporation.
1081. Liability for acts of officers and agents.
1082. Issuance of stock or payment of dividends prohibited.
1083. Books and records; inspection.
1084. Audit of financial transactions.
1085. Use of assets upon dissolution or liquidation.
1086. Exclusive right to name, emblems, seals, and badges.
1087. Omitted.
1088. Reservation of right to amend or repeal chapter.

§ 1071. Corporation created

James E. Axeman, Williamsport, Pennsylvania; Colonel Theodore P. Bank, Chicago, Illinois; Nicholas C. Colombo, Galveston, Texas; John K. Conneen, Bethlehem, Pennsylvania; Yale A. Corcoron, Chicago, Illinois; Doctor Arthur A. Esslinger, Eugene, Oregon; Merrill Martin Galloway, West Columbia, Texas; George H. Harding, Lebanon, Tennessee; Edward B. Johnson, Port Chester, New York;

G. Herbert McCracken, New York, New York; Peter J. McGovern, Chairman, Williamsport, Pennsylvania; Frank J. McGrath, Scarsdale, New York; Doctor Elmon L. Vernier, Baltimore, Maryland; Milton F. Ziehn, Sacramento, California; and their successors, are created and declared to be a body corporate by the name of the Little League Baseball, Incorporated (hereinafter called the corporation), and by such name shall be known and have perpetual succession and the powers and limitations contained in this chapter.

(Pub. L. 88-378, § 1, July 16, 1964, 78 Stat. 325.)

§ 1072. Omitted

CODIFICATION

Section, Pub. L. 88-378, § 2, July 16, 1964, 78 Stat. 325, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 1073. Objects and purposes of corporation

The objects and purposes of the corporation shall be—

(1) To promote, develop, supervise, and voluntarily assist in all lawful ways the interest of young people who will participate in Little League baseball.

(2) To help and voluntarily assist young people in developing qualities of citizenship and sportsmanship.

(3) Using the disciplines of the native American game of baseball, to teach spirit and competitive will to win, physical fitness through individual sacrifice, the values of teamplay and wholesome wellbeing through healthful and social association with other youngsters under proper leadership.

(Pub. L. 88-378, § 3, July 16, 1964, 78 Stat. 325; Pub. L. 93-551, Dec. 26, 1974, 88 Stat. 1744.)

AMENDMENTS

1974—Par. (1). Pub. L. 93-551 substituted "young people" for "boys".

Par. (2). Pub. L. 93-551 substituted "young people" for "boys" and "citizenship and sportsmanship" for "citizenship, sportsmanship, and manhood".

§ 1074. Powers of corporation

The corporation shall have power—

(1) to sue and be sued, complain, and defend in any court of competent jurisdiction;

(2) to adopt, alter, and use a corporate seal;

(3) to choose such officers, directors, trustees, managers, agents, and employees as the business of the corporation may require;

(4) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(5) to contract and be contracted with;

(6) to charge and collect membership dues, subscription fees, and receive contributions or grants of money or property to be devoted to the carrying out of its purposes;

(7) to take and hold by lease, gift, purchase, grant, devise, bequest or otherwise any property, real or personal, necessary for attaining the objects and carrying into effect the purposes of the corporation, subject to applicable provisions of law in any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real or personal property by a corporation operating in such State;

(8) to transfer, encumber, and convey real or personal property;

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, subject to all applicable provisions of Federal or State law;

(10) to adopt, alter, use, and display such emblems, seals, and badges as it may adopt; and

(11) to do any and all lawful acts and things necessary or desirable in carrying out the objects and purposes of the corporation.

(Pub. L. 88-378, § 4, July 16, 1964, 78 Stat. 325.)

§ 1075. Principal office; scope of activities; resident agent

(a) The principal office of the corporation shall be located in Williamsport, Pennsylvania, or in such other place as may later be determined by the board of directors, but the activities of the corporation shall not be confined to that place and may be conducted throughout the various States, the Commonwealth of Puerto Rico, and the possessions of the United States, and in other areas throughout the world.

(b) The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service of process for the corporation, and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Pub. L. 88-378, § 5, July 16, 1964, 78 Stat. 326.)

§ 1076. Membership; voting rights

(a) Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this chapter, be determined as the constitution and bylaws of the corporation may provide.

(b) Each member of the corporation, other than honorary and associate members, shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

(Pub. L. 88-378, § 6, July 16, 1964, 78 Stat. 326.)

§ 1077. Board of directors

(a) Initial board

Upon enactment of this chapter the membership of the initial board of directors of the corporation shall consist of the members of the board of directors of the corporation referred to in section 1087 of this title.

(b) Composition and term

Thereafter, the board of directors of the corporation shall consist of such number (not less than 13), shall be selected in such manner (including the filing of vacancies), and shall serve for such term as may be prescribed in the constitution and bylaws of the corporation.

(c) Governing period; duties

The board of directors shall be the governing board of the corporation and shall, during the intervals between corporation meetings, be responsible for the general policies and program of the corporation. The board shall be responsible for the control of all funds of the corporation.

(Pub. L. 88-378, § 7, July 16, 1964, 78 Stat. 326.)

REFERENCES IN TEXT

Section 1087 of this title, referred to in subsec. (a), was omitted from the Code as executed.

§ 1078. Officers; election

(a) The officers of the corporation shall be a chairman of the board of directors, a president, a vice president, and a secretary-treasurer. The duties of the officers shall be as prescribed in the constitution and bylaws of the corporation.

(b) Officers shall be elected annually at the annual meeting of the corporation.

(Pub. L. 88-378, § 8, July 16, 1964, 78 Stat. 326.)

§ 1079. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any member, officer, or director, or be distributable to any such person during the life of the corporation or upon dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of reasonable compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation, and any officer who participates in the making of such loan, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 88-378, § 9, July 16, 1964, 78 Stat. 327.)

§ 1080. Nonpolitical nature of corporation

The corporation, and its officers, directors, and duly appointed agents as such, shall not contribute to or otherwise support or assist any political party or candidate for office.

(Pub. L. 88-378, § 10, July 16, 1964, 78 Stat. 327.)

§ 1081. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 88-378, § 11, July 16, 1964, 78 Stat. 327.)

§ 1082. Issuance of stock or payment of dividends prohibited

The corporation shall have no power to issue any shares of stock nor to declare nor pay any dividends.

(Pub. L. 88-378, § 12, July 16, 1964, 78 Stat. 327.)

§ 1083. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having authority under the board of directors, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

(Pub. L. 88-378, § 13, July 16, 1964, 78 Stat. 327.)

§ 1084. Audit of financial transactions

(a) The accounts of the corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than six months following the close of the fiscal year for which the audit is made. The report shall set forth the scope of the audit and include such statements, together with the independent auditor's opinion of those statements, as are necessary to present fairly the corporation's assets and liabilities, surplus or deficit with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the corporation's income and expenses during the year including (1) the results of any trading, manufacturing, publishing, or other commercial-type endeavor carried on by the corporation, and (2) a schedule of all contracts requiring payments in excess of $10,000 and any payments of compensation, salaries, or fees at a rate in excess of $10,000 per annum. The report shall not be printed as a public document.

(Pub. L. 88-378, § 14, July 16, 1964, 78 Stat. 327.)

CODIFICATION

Provisions of this section are probably obsolete in view of Pub. L. 88-504, Aug. 30, 1964, 78 Stat. 635, which enacted provisions, set out as sections 1101 to 1103 of this title, covering audits of federally chartered corporations and which specifically repealed the section in each chapter of this title that had individually covered the audit and report requirement with respect to each federally chartered corporation without, however, mention of this section.

§ 1085. Use of assets upon dissolution or liquidation

Upon final dissolution or liquidation of the corporation, and after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto. Such distribution shall be consistent with the purposes of the corporation.

(Pub. L. 88-378, § 15, July 16, 1964, 78 Stat. 328.)

§ 1086. Exclusive right to name, emblems, seals, and badges

The corporation shall have the sole and exclusive right to use and to allow or refuse to others the use of the terms "Little League," "Little Leaguer," and the official Little League emblem or any colorable simulation thereof. No powers or privileges hereby granted shall, however, interfere or conflict with established or vested rights.

(Pub. L. 88-378, § 16, July 16, 1964, 78 Stat. 328.)

§ 1087. Omitted

CODIFICATION

Section, Pub. L. 88-378, § 17, July 16, 1964, 78 Stat. 328, which authorized the corporation to acquire the assets and liabilities of the corporation chartered in the State of New York and known as Little League Baseball, Incorporated, was omitted from the Code as executed.

§ 1088. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 88-378, § 18, July 16, 1964, 78 Stat. 328.)

CHAPTER 42—AUDITS OF FEDERALLY CHARTERED CORPORATIONS

Sec.
1101. Definition of private corporations established under Federal law.
1102. Audit of accounts; annual audit; independent audit; places of audit; availability of books, records, and other papers, things, or property; facilities for verification of transactions.
1103. Reports to Congress; time for submission; contents; scope of audit, financial statements, and auditor's opinion; public printing.

§ 1101. Definition of private corporations established under Federal law

The term "private corporations established under Federal law" as used in this chapter means the following organizations:

(1) Agricultural Hall of Fame.
(2) American Chemical Society.
(3) American Historical Association.
(4) The American Legion.
(5) The American National Theater and Academy.
(6) American Society of International Law.
(7) American Symphony Orchestra League.
(8) American War Mothers.
(9) AMVETS (American Veterans of World War II).
(10) Belleau Wood Memorial Association.
(11) Big Brothers of America.
(12) Blinded Veterans Association.
(13) Blue Star Mothers of America.
(14) Board for Fundamental Education.
(15) Boy Scouts of America.
(16) Boys' Clubs of America.
(17) Civil Air Patrol.
(18) Conference of State Societies, Washington, District of Columbia.
(19) The Congressional Medal of Honor Society of the United States of America.
(20) Daughters of the American Revolution.
(21) Disabled American Veterans.
(22) The Foundation of the Federal Bar Association.
(23) Future Farmers of America.
(24) Girl Scouts of America.
(25) Grand Army of the Republic.
(26) Jewish War Veterans, U.S.A., National Memorial, Inc.
(27) Ladies of the Grand Army of the Republic.
(28) Legion of Valor of the United States of America, Incorporated.
(29) Marine Corps League.
(30) Military Chaplains Association of the United States of America.
(31) Military Order of the Purple Heart of the United States of America.
(32) National Academy of Sciences.
(33) National Conference on Citizenship.
(34) National Fund for Medical Education.
(35) National Music Council.
(36) National Safety Council.
(37) National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic.
(38) The National Yeomen F.
(39) Naval Sea Cadet Corps.
(40) Navy Club of the United States of America.
(41) Reserve Officers Association.
(42) Sons of the American Revolution.
(43) Sons of Union Veterans of the Civil War.
(44) United Spanish War Veterans.
(45) United States Blind Veterans of World War I.
(46) United States Olympic Association.
(47) Veterans of Foreign Wars of the United States.
(48) Veterans of World War I of the United States of America.
(49) General Federation of Women's Clubs.

(Pub. L. 88-504, § 1, Aug. 30, 1964, 78 Stat. 635; Pub. L. 94-151, § 2, Dec. 15, 1975, 89 Stat. 809.)

REFERENCES IN TEXT

The Grand Army of the Republic, referred to in par. (25), has been omitted from the Code in view of the termination of its existence.

AMENDMENTS

1975—Par. (49). Pub. L. 94-151 added par. (49).

§ 1102. Audit of accounts; annual audit; independent audit; places of audit; availability of books, records, and other papers, things, or property; facilities for verification of transactions

The accounts of private corporations established under Federal law shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audits shall be conducted at the place or places where the accounts of the corporations are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporations and necessary to facilitate the audits shall be made available to the person or persons conducting the audits; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(Pub. L. 88-504, § 2, Aug. 30, 1964, 78 Stat. 636.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1166 of this title.

§ 1103. Reports to Congress; time for submission; contents; scope of audit, financial statements, and auditor's opinion; public printing

The report of each such independent audit shall be submitted to the Congress not later than six months following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and include such statements as are necessary to present fairly the corporation's assets and liabilities, surplus or deficit with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the corporation's income and expenses during the year including the results of any trading, manufacturing, publishing, or other commercial-type endeavor carried on by the corporation, together with the independent auditor's opinion of those statements. The report shall not be printed as a public document, except as part of proceedings authorized to be printed under section 1332 of title 44.

(Pub. L. 88-504, § 3, Aug. 30, 1964, 78 Stat. 636.)

CODIFICATION

"Section 1332 of title 44", referred to in text, was substituted for "the Act of March 2, 1931, chapter 378, section 1, as amended", which had been classified to section 275b of former Title 44, Public Printing and Documents, on authority of section 2(b) of Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1305, section 1 of which enacted Title 44, Public Printing and Documents.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1166 of this title.

CHAPTER 43—PARALYZED VETERANS OF AMERICA

Sec.
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1152. Omitted.
1153. Purposes of corporation.
1154. Powers of corporation.
1155. Prohibition against issuance of stock and engaging in profitable business.
1156. Nonpolitical nature of corporation.
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1161. Books and records; inspection.
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1163. Extension of privileges and rights granted under other laws.
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1165. Liability for acts of officers and agents.
1166. Audit of accounts.
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§ 1151. Corporation created

The following persons, to wit: Burton Little, Chickasaw, Alabama; Tom Goggin, Phoenix, Arizona; Leonard Chrysler, Los Altos, California; Wayne L. Capson, Garden Grove, California; George Boschet, Silver Spring, Maryland; Robert Classon, New York, New York; Edward G. Maxwell, Miami, Florida; Claude C. Beckham, Irmo, South Carolina; Benny Tschetter, Sioux Falls, South Dakota; Frederick T. Gill, Valley Station, Kentucky; Lee M. Gresham, Wixom, Michigan; Conrad M. Standinger, Memphis, Tennessee; Curley Gullet, Denver, Colorado; Charles Swartz, Marblehead, Massachusetts; Bolivar Rivera, Rio Piedras, Puerto Rico; James Schwiem, Pasadena, Texas; Robert T. Kiggins, Pittsburgh, Pennsylvania; Glenn E. Mayer, Hines, Illinois; John Novak, Richmond, Virginia; and such other persons as are members of the Paralyzed Veterans of America, and their associates and successors, are hereby created and declared to be a body corporate by the name of Paralyzed Veterans of America (hereinafter referred to as the "corporation").

(Pub. L. 92-93, § 1, Aug. 11, 1971, 85 Stat. 317.)

§ 1152. Omitted

CODIFICATION

Section, Pub. L. 92-93, § 2, Aug. 11, 1971, 85 Stat. 317, which related to the procedure for the completion of the organization of the corporation, was omitted from the Code as executed.

§ 1153. Purposes of corporation

The objects and purposes of the corporation shall be—

(a) to preserve the great and basic truths and enduring principles upon which this Nation was founded;

(b) to form a national association for the benefit of persons who have suffered injuries or diseases of the spinal cord;

(c) to acquaint the public with the needs and problems of paraplegics;

(d) to promote medical research in the several fields connected with injuries and diseases of the spinal cord, including research in neurosurgery and orthopedics and in genitourinary and orthopedic appliances; and

(e) to advocate and foster complete and effective reconditioning programs for paraplegics, including a thorough physical reconditioning program, physiotherapy, competent walking instructions, adequate guidance (both vocational and educational), academic and vocational education (both in hospitals and in educational institutions), psychological orientation and readjustment to family and friends, and occupational therapy (both functional and diversional).

(Pub. L. 92-93, § 3, Aug. 11, 1971, 85 Stat. 317.)

§ 1154. Powers of corporation

The corporation shall have perpetual succession and shall have power—

(a) to sue and be sued;

(b) to acquire, hold, and dispose of such real and personal property as may be necessary to carry out the corporate purposes;

(c) to make and enter into contracts;

(d) to accept gifts, legacies, and devises which will further the corporate purposes;

(e) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, subject in every case to all applicable provisions of Federal and State law;

(f) to adopt and alter a corporate seal;

(g) to establish, regulate, and discontinue subordinate State and regional organizations and local chapters or posts;

(h) to choose such officers, representatives, and agents as may be necessary to carry out the corporate purposes;

(i) to establish and maintain offices for the conduct of the affairs of the corporation;

(j) to adopt and alter a constitution and bylaws not inconsistent with law;

(k) to publish a newspaper, magazine, or other publications;

(*l*) to adopt and alter emblems and badges; and

(m) to do any and all acts and things necessary and proper to accomplish the objects and purposes of the corporation.

(Pub. L. 92-93, § 4, Aug. 11, 1971, 85 Stat. 317.)

§ 1155. Prohibition against issuance of stock and engaging in profitable business

The corporation shall have no power to issue capital stock or engage in business for pecuniary profit or gain.

(Pub. L. 92-93, § 5, Aug. 11, 1971, 85 Stat. 318.)

§ 1156. Nonpolitical nature of corporation

The corporation shall be nonpolitical and, as an organization, shall not furnish financial aid to, or otherwise promote the candidacy of, any person seeking public office.

(Pub. L. 92-93, § 6, Aug. 11, 1971, 85 Stat. 318.)

§ 1157. Membership

Any American citizen shall be eligible for membership in the corporation who was regularly enlisted, inducted, or commissioned, and who was accepted for, or was on, active duty in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States, or our allies. Service with the Armed Forces must have been terminated by discharge or separation from service under conditions other than dishonorable: *Provided, however,* That persons otherwise eligible for membership who are on active duty or who must continue to serve after the cessation of hostilities are also eligible for membership: *And, provided further,* That membership shall be limited to such persons as have suffered spinal cord injuries or diseases whether service connected or nonservice connected in origin.

(Pub. L. 92-93, § 7, Aug. 11, 1971, 85 Stat. 318.)

§ 1158. Principal office; scope of activities

The headquarters and principal place of business of said corporation shall be located in the District of Columbia, but the activities of said organization, as set out herein, shall not be confined to said city, but shall be conducted throughout the several States and any territory or possession of the United States.

(Pub. L. 92-93, § 8, Aug. 11, 1971, 85 Stat. 318.)

§ 1159. Use of assets upon dissolution or liquidation

In the event of a final dissolution or liquidation of such corporation, and after the discharge or satisfactory provisions for the discharge of all its liabilities, the remaining assets of the said corporation shall be transferred to the Veterans' Administration to be applied to the care and comfort of paralyzed veterans.

(Pub. L. 92-93, § 9, Aug. 11, 1971, 85 Stat. 318.)

§ 1160. Exclusive right to name, emblems, seals and badges

The corporation and its State and regional organizations and local chapters or posts shall have the sole and exclusive right to have and use in carrying out its purposes the name "Paralyzed Veterans of America," and such seals, emblems, and badges as the corporation may lawfully adopt.

(Pub. L. 92-93, § 10, Aug. 11, 1971, 85 Stat. 318.)

§ 1161. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, executive committee, and committee, having any of the authority of the executive committee; and shall keep at its registered office or principal office a record giving the names and addresses of its members entitled to vote; and permit all books and records of the corporation to be inspected by any member or his agent or his attorney for any proper purpose at any reasonable time.

(Pub. L. 92-93, § 11, Aug. 11, 1971, 85 Stat. 318.)

§ 1162. Resident agents

As a condition precedent to the exercise of any power or privilege herein granted or conferred, the corporation shall file in the office of the Secretary of each State or of any territory or possession of the United States, in which organizations, chapters, or posts may be organized, the name and post office address of an authorized agent upon whom local process or demands against the corporation may be served.

(Pub. L. 92-93, § 12, Aug. 11, 1971, 85 Stat. 318.)

§ 1163. Extension of privileges and rights granted under other laws

Such provisions, privileges, and prerogatives as have been granted heretofore to other national veterans' organizations by virtue of their being incorporated by Congress are hereby granted and accrue to the Paralyzed Veterans of America.

(Pub. L. 92-93, § 13, Aug. 11, 1971, 85 Stat. 319.)

§ 1164. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any member, director, officer, or employee of the corporation or be distributable to any person during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of reasonable compensation to officers and employees of the corporation or to prevent their reimbursement for actual necessary expenses in amounts approved by the corporation's board of directors.

(b) The corporation shall not make loans to its members, officers, directors, or employees. Any director who votes for or assents to the making of such a loan, and any officer who participates in the making of such a loan, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 92-93, § 14, Aug. 11, 1971, 85 Stat. 319.)

§ 1165. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 92-93, § 15, Aug. 11, 1971, 85 Stat. 319.)

§ 1166. Audit of accounts

The provisions of sections 1102 and 1103 of this title shall apply with respect to the corporation.

(Pub. L. 92-93, § 16, Aug. 11, 1971, 85 Stat. 319.)

§ 1167. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is hereby expressly reserved.

(Pub. L. 92-93, § 17, Aug. 11, 1971, 85 Stat. 319.)